ACCOUNT

OF THE

LATE ESTABLISHMENT

OF

Presbyterian Government

BY THE

Parliament of SCOTLAND

Anno 1690.

Together with the Methods by which it was Established, and the Consequences of it: As also several [illegible] Speeches, Pleadings, and other Passages of [illegible] relating to the Church in that Kingdom. To [illegible] is added a Summary of the Visitation of the Universities there, in a fair Letter from a Gentleman at Edinburgh, to his Friend at London.

Si tibi vita [illegible] vivere [illegible] aliquid [illegible] quod [illegible] Non [illegible] Plinius [illegible] Epist. Lib. 7. Ep. 20.

Mihi [illegible]
Libertas [illegible]
Mihi [illegible]
Fugaces [illegible] Horat. Carm. Lib. [illegible]

LONDON, Printed for *Jos. Hindmarsh*, at the Golden Ball over against the Royal Exchange in Cornhill. MDCXCIII.

ADVERTISEMENT

By the PUBLISHER TO THE

READER.

I Have ever thought that Justice and Candor require not only, that we should not utter any thing against our Adversaries which we know to be false; but also that we should suppress nothing which we know would vindicate them, or extenuate that whereof they are accused; and therefore, having come to the knowledge of a Particular, which escap'd the Author's Diligence at the writing of this Relation, I am satisfied it will be as grateful to him, as fair to our Adversaries to acquaint the Reader with it here. The thing is concerning Mr. *James Kirton*'s taking the benefit of the Act of Parliament made in favour of the old *Presbyterian* Ministers, as is related *p.* 24 of this Book: and after a diligent Enquiry, made by my self and others, I find that that Account is true to a title from the beginning to the end of it. But that which I will not conceal, is, that Mr. *Kirton* having preached two Sundays in *August* 1690, at *Martin*, and thereby secured to himself the Benefice from *Whitsunday* 1689, was persuaded by Friends to give Mr. *Meldrum*, the *Episcopal* Minister, one half year of the Benefice of *Martin*. I designed to have told this in its proper place, *p.* 24, but this was prevented, that Sheet being printed off sooner than I expected.

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SIR,

SIR,

ALTHOUGH I am satisfied, that the Papers already in Print concerning the Persecutions, the Episcopal Church in *Scotland* has suffered of late, do furnish matter enough to move the Compassion of a Friend, and glut the Malice even of the most inveterate Enemy; yet finding by your last, that you earnestly desire to know more about them; and not being able to resist your Importunity, I have been at the pains to send you this following Account.

The former Relation, as I remember, brought things no farther down, than that Act of Privy Council, dated *December* 24. 1689. by which all Inferiour Judges within the Nation, were prohibited to give Decrees in favour of such of the Clergy, as had been thrust from their Charges by Tumult and Rabble, before the 13*th* of *April* preceding. Notwithstanding you have that Act in Print already, yet being it must give the Rise of this brief Supplement, I shall here again transcribe it.

An ACT of COUNCIL,

At *EDINBURGH*, *Dec.* 24. 1689.

THE Lords of His Majesties Privy Council, considering, that by the Act of the Meeting of Estates of the date the thirteenth day of April last, there is a difference made betwixt the Ministers then in possession, and

exercise of their Ministry, at their respective Churches, and those who were not so. And that the Case of the Ministers who were not in the actual exercise of their Ministerial Function, the thirteenth day of April last, lies yet under the consideration of the Parliament, and left in the mean time they may call and pursue for the Stipends (alledged) due to them, or put in execution the Decrees and Sentences already obtained at their instance for the same, before the Estates of Parliament can meet, and give the determinations in the points. Therefore the said Lords of Privy Council, finding that the Case foresaid depending before the Parliament is not obvious to be cognosced upon, and decided by the Inferiour Judges, but that the same should be left entire to the decision of the Parliament, have thought fit to signifie to all Inferiour Courts and Ministers of the Law, that the matter abovementioned, is depending before the Parliament, to the effect they may regulate and govern themselves in the judging of all Processes to be intented before them upon the said matter, or in executing the Sentences already pronounced thereupon, as they will be answerable.

Sic subscribitur, *Crawford, I. P. D. S. Con.*

No sooner did that Act pass, than Copies of it were instantly sent by the Councils Order, to all Inferiour Judges, within whose Jurisdictions those Parishes lay, from which the Ministers had been forced before that 13*th* of *April*, so fatal to our Clergy: And forthwith a stop was put to the Course of Justice. For generally, those who were liable to pay the Tythes in the Western Shires, where Rabling had most prevailed, refused to pay one Farthing of what was due for the year 1688. or any years preceding; having for them the pretext of this Act of Council: Neither would the Judges grant Sentences in favour of any such Ministers, as had the hard fortune to stand

ſtand in theſe unlucky Circumſtances. And indeed it was no wonder, if the Judges were ſhy to meddle with ſuch an Act; conſidering on the one hand, how darkly and indiſtinctly it was worded; and on the other, how ticklish the Times then were; and how natural it was for the Council, to have turned them out of their Places, if they had chanced to give it an Interpretation (however conſonant with the Rules of Juſtice) unſuitable to the deſigns of the Government.

No man, I think, needs to doubt but this Treatment ſeem'd grievous enough to the poor Sufferers. They had entered to their reſpective Churches according to Law. They had never been ſummoned to appear before any Court, Eccleſiaſtical or Civil; nor tryed, or convict of any Crime or Scandal that might infer a Deprivation. Only they had been thruſt from their Stations by *lawleſs force and violence*; a thing ſo far from being Criminal in them, that it rather ought to have engaged the Government, to have taken particular care for their Redreſs and Reſtitution. What then may be thought of this precluding them the benefit of the Common Law, for what was uncontrovertibly due to them? Eſpecially conſidering, that moſt of them had numerous Families; and not one of twenty, any Stock of his own (beſides his Benefice) wherewith to maintain them? Hard enough ſure. Well.

Neceſſity, you know, Sir, is a rigorous Taskmaſter; and puts one upon all imaginable Shifts to be eaſed of its burthen. And ſo it is not to be doubted, but theſe poor men would beſtir themſelves as effectually as they could, to have that Act, if not repealed, at leaſt explained and made more favourable: as indeed they did; but without ſucceſs. For though ſome Conſellors (ſuch as the Duke of *Hamilton*, in whoſe abſence the Act was made) were inclin'd to do them Juſtice; yet at that time the Earl of *Crawford*, and the Lord *Cardroſſe*, (two Lords,

 who

who had some reason to commiserate the needy) and their Adherents of the *Presbyterian* Party, made greatest numbers at the Council Board; and they had made the Act, and so they would not so much as hear of admitting it to a new deliberation. This, as soon as they knew it, made the afflicted Ministers (though they had prepared their Petition) quite give over the design of addressing to the Council, and betake themselves to the last Remedy, *Patience*, till the Parliament should meet, to which their Case by the Act of Council was refer'd.

I have hitherto given you but a very slender account of this matter; but if you will be pleas'd to read on, you shall have what may satisfie you before I have done. Now proceed we strait to the Parliament: In the mean time, I must tell you, that it is no part of my present undertaking, to meddle with any thing, but what concerns the Church or the Clergy. And even of that too, you are not to expect the most perfect account.

The Parliament met upon the 15*th* of *April* 1690. And the first thing they did in relation to the Church, was the Abolition of the Kings Supremacy in Ecclesiastical matters. But alas, the thorough-pac'd Presbyterians were sadly nick'd in that matter; for it was only the Act which was made *Anno* 1669. that was rescinded; and other Acts that asserted the Supremacy to a degree entirely inconsistent with the Prerogatives of the Kirk, were kept in force and unrepeal'd. At least, this I am sure of, Mr. *Andrew Melvill*, a great Promoter, if not the first Parent of Presbyterian Parity in *Scotland*, and Mr. *David Black*, and such antient Worthies of the Sect, reckoned them intolerable, when they called them, the *Bloody Gullies of Arbitrary Power*; [*i. e.* the Cut-throat Knives.] But that's no great matter; only one thing let me add further concerning the first Act, which is, that it founds the Repeal of that *Sixty Nine* Act upon this reason, that, *That Supremacy was inconsistent with the Establishment of the Church-Government*

ment (not now in being, for Presbytery was not erected till six Weeks after; But) *now desired*; which what sense it may make in *Law* or *Politicks*, it is not my purpose to enquire. But I remember many thought then, that it was a pretty odd fetch in common reason to abolish that Act, because the Supremacy, as explained in it, was inconsistent with what had no real Existence, but only an imaginary one in the desires of a Party. But however that was,

The making this Act, was an encouraging Step to the Presbyterian Ministers: for no sooner had they found by this, that their Party was strongest in the Parliament, than they presented their Petition to it, craving an entire Settlement of all their new and peculiar Scheme: which *Petition*, because it was of so considerable consequence, and so far as I can learn, though twice published here, yet never reprinted in *England*, and so perhaps you have not had occasion to consider it; I will here set down, and give you some short Animadversions upon it.

To

To His Grace His Majesties High-Commissioner, and to the Right Honourable, the Estates of Parliament.

The Humble Address of the *Presbyterian* Ministers and Professors of the Church of *Scotland*,

Sheweth,

THAT as we cannot but acknowledge and adore the Holy and Righteous Dispensation of the Lord in all the great and long continued Afflictions, wherewith he hath afflicted us for our sins; so we are not a little filled with admiration at the great and wonderful Providence of our Most Gracious God, who alone doth great Wonders, for his Mercy endureth for ever: That at such a Time, when our strength was gone, and there was none to deliver, He mercifully stirred up that Pious and Magnanimous Prince William, *then Prince of* Orange, *now by the good hand of God Our Gracious Soveraign, to Espouse the Interest of the Protestant Religion, and of the afflicted Ministers and Professors thereof in these Kingdoms, and hath blessed him in so Heroick and Noble an Undertaking with agreeable success: As also, hath raised up your Lordships, our most Noble and Honourable Patriots, to joyn heartily with His Majesty, in appearing zealously for securing of the Protestant Religion in this Kingdom, and for what may tend to the better establishment thereof in all its concerns; and in evidencing your just Indignation against the Corruptions of Church and State, in your*

Lordships

Lordships Claim of Right: *And particularly by freeing us of the Yoke of Prelacy, and of the undue Powers, and Ecclesiastical Supremacy in Church Matters, formerly established in the Supreme Magistrate. And these your Lordships zealous beginnings for appearing for the interest of the Protestant Religion, and Professors thereof, have been, and are great matter of joy to our hearts, and of blessing and magnifying our Lord and Master in your Lordships behalf: So they are a door of hope to us, and to all that love the true Reformed Protestant Religion in this Land, That his Grace, His Majesties High Commissioner, and this Honourable Court of Parliament, will in your Station, go on zealously in your work of purging this poor oppressed Church, from all Corruptions brought into it, by Ambitious and Covetous Church-men, who sought their own things, but not the things of Jesus Christ; and from all the sad Consequences, which have followed upon the Erecting of Prelacy; such as were the driving several hundreds of Ministers all at one time out of their Churches, without either accusation or citation; and the filling of their places with Ignorant and Scandalous Persons (which His Majesty is Graciously Pleased to Notice in his Declaration for* Scotland, *as an occasion of all this poor Churches Miseries, and from which unsupportable Sufferings, He declared His Resolution to relieve and rescue us,) And we may add, with many also erroneous and unsound in the Faith, Enemies to the Reformation, and who have now appeared disaffected to the present Civil Government; as also framing of a numerous train of severe Laws, severely Executed both on Ministers and People of all degrees; so for that even while we were counted and treated as Sheep for the slaughter, we might not Petition or Complain, without rendring our selves highly Criminal by the Laws and Acts then made. All which, we hope, the Commissioner his Grace, and your Lordships in this present Parliament will take to your serious Consideration, and will free this poor oppressed Church from such Oppressors and Oppressions,*

pressions, and settle it again upon the right Foundations of Government and Discipline, agreeable to the Word of God, and Established in this Church by Law, near an hundred years agoe. Which settlement, we are confident, will prove the best remedy of all our otherways incurable distractions, and the mean of quieting and uniting the whole Country, in a joynt and firm Opposition against all His Majesties, and your Lordships Enemies.

We therefore, His Majesties most Loyal Subjects, and your Lordships most humble and dutiful Servants in Christ, Humbly beseech the Commissioner his Grace, and Honourable Estates of Parliament, seeing the Kings Majesty hath Declared, and your Lordships with him, have Zealously appeared for the Protestant Religion, you will be Graciously Pleased, by your Civil Sanction, to Establish and Ratifie the late Confession of Faith, with the larger and shorter Catechisms (which contain the sum and substance of the Doctrine of the Reformed Churches) The Directory of Worship, and Presbyterial Church Government and Discipline, all agreeable to the Word of God, and formerly received by the general Consent of this Nation. And seeing Prelacy, and all who have entered under Prelacy, have been imposed upon the Church, without her Consent, in any of her free General Assemblies; and that Presbyterial Government, cannot be secure in the hands of them, who are of contrary Principles; Therefore we humbly Petition that the Church-Government may be Established in the hands of such only, who by their former Carriage and Sufferings have Evidenced, that they are known sound Presbyterians, and well affected to His Majesties Government; or who, hereafter shall be found to be such, (which are hopeful by the Grace of God, shall be managed with such Christian Prudence, Moderation and Tenderness, as shall leave no just matter of Complaint to any) and that not only these Ministers yet alive, who were unjustly thrust from their Churches, may be restored thereto; and these Parishes

tisters and Flocks at that time, no less violently imposed upon, may be freed from Intruders; But also all other Presbyterian Ministers, who either are already, or may be, by respective Flocks orderly called hereafter, may have access to be settled in Churches after the Presbyterian way, as they shall be Ecclesiastically approved and appointed, and may have your Lordships Civil Sanction added thereunto.

And we also Request, that the Church thus Established may be allowed by your Lordships Civil Sanction, to appoint Visitations for purging out insufficient, negligent, scandalous and erroneous Ministers. And seeing Patronages which had their Rise in the most corrupt and latter times of Antichristianism have always been a great grievance to this Church, as the source and fountain of a Corrupt Ministry, That these may be Abolished; And that the Church may be Established upon its former good Foundations, Confirmed by many Acts of Parliament, since the year one thousand five hundred and sixty. And that all Acts contrary to this Government, that retain Ceremonies, and impose Punishments on Presbyterians for Non-conformity, and for Worshiping of God according to their Principles, may be Abrogate. And as a good and necessary mean for preserving the Purity of the Church; your Lordships take care that Learned, Sound and Godly Men be put in Universities, and Seminaries of Learning; (humbly submitting to your Lordships Wisdom the method of considering and effecting these our desires.) Thus all things being done for the House of the God of Heaven, according to the Commandment of the God of Heaven, by your Lordships pious and wise managing these Affairs of the Church of Christ; This poor, long oppressed, and tossed Church, may at length, through God's Blessing, arrive at a safe and quiet Harbour; and the true Honour and Happiness of His Majesty and your Lordships, as the signal Nursing Fathers of the Church of Christ in this Land, may be advanced

and

and continued to future Generations: And so the Blessing of the Church that was ready to perish, may remain still upon His Majesty and your Lordships.

And your Lordships Petitioners shall ever Pray, that God may Bless and Protect the Persons of Their Majesties King *William* and Queen *Mary* long to rule and govern this Nation, and your Lordships under them.

This Petition word for word (unless it was in one or two Sentences) had been presented by them to the Parliament the year before; (for a man may be against set forms in their Petitions to God, yet for them in Petitions to Parliaments) while the Duke of *Hamilton* was Commissioner, but his Grace was no ways pleased with it for several Reasons, but principally that they craved, *that the Church Government might be Established in the hands of such only who by their former carriage and sufferings had evidenced that they were known sound Presbyterians.* For what was this (said his Grace) but to pull down one sort of Prelacy, and set up another in its place; to abolish one that was consistent and intelligible, and establish another that imply'd Contradictions? And indeed there was no answering this difficulty. For there were but about fifty or sixty such Ministers alive in the whole Nation; And it was craved that the Government of the Church should be Established in their hands in the first Instance? which what was it else but instead of fourteen Prelatical, to give us about fifty or sixty Presbyterian Bishops? But such was the posture of their Affairs at that time, that there was no other way they could see for securing their Interest, and so they made Necessity justifie a little Nonsense;

sense; and this year they had a more favourable Commissioner to deal with, the good Earl of *Melville*. But then there is a great deal of considerable stuff in it. For observe, I pray you, the charitable judgment they make of the Bishops and Episcopal Clergy. *All the distractions have been in this Kingdom will continue still incurable, unless this poor oppressed Church be purged from all Corruptions brought into it, by ambitious and covetous Church-men,* (it is well they are allowed to be Church-men) *who sought their own things, but not the things of Jesus Christ.* And with whom were the Churches filled when Prelacy was erected, and the Presbyterian Ministers turn'd out? *With ignorant and scandalous Persons, nay with many erroneous, and unsound in the Faith, and Enemies to the Reformation, and till the Church is freed from these Oppressors, and Oppressions* she can never be right; is not all this charitably said? Yet this is not the worst of it. For, consider the whole strain of the Petition, and *they* are the only Protestants of the Nation; For if we may believe them, *God stirred up the Prince of Orange to espouse the Interest of the Protestant Religion, and of the afflicted Ministers and Professors thereof.* And yet I am very sure many will confidently affirm he did not espouse (at his first coming to *Britain* at least) the Interest of the afflicted Ministers of their Persuasion in *Scotland*. Further, *God raised up their Lordships* (the Members of Parliament) *their most noble and honourable Patriots to prejoyn heartily with His Majesty in appearing zealously for serving the Protestant Religion in this Kingdom, and for what may tend for the better Establishing of it in all its concerns.* Now what is all this, but that though King *James* had given a Toleration to the Presbyterians, yet that put them only in a very weak, uncertain, and arbitrary State, and they could not be well enough till they had a legal Establishment Exclusive of all Popish Prelates, and their Adherents. And not only so, but *the steps the Parliament have already*

 made,

made, have opened a door of hope to them, and to all that love the true Reformed Protestant Religion in this Land, that they will go on zealously, &c. Which words are not capable of another sense than this, that whosoever is not Zealous against Prelacy and for Presbytery, is not a Lover of the true Reformed Protestant Religion.

There are a great many other things in this Petition which deserve their proper Remarks; but I will not take notice of them any more, but as they fall in naturally in the progress of this Paper, and then they shall be considered: The first of which, shall be the Case of the Presbyterian Ministers who were turned out of these Churches, they possessed, after the first of *January*, 1662. Where in this Petition you see the great injury which was done them is mightily aggravated: *Several hundreds of them, all at one time, were driven out of their Churches, without either Accusation or Citation.* And this was so palpable a Persecution, so manifest an Effort of Oppression and Tyranny, *That His Majesty was graciously pleased to take notice of it in his Declaration for* Scotland, 1688. which 'tis very true he did, for his words are: *That the Dissenters in* Scotland *have just cause of distrust, when they call to mind, how some hundreds of their Ministers were driven out of their Churches, without either Accusation or Citation.* Nay our Petitioners are at it again, in another place of the same Petition, and Crave; *That these Ministers who were unjustly thrust from their Churches may be restored thereto; and these Parishes and Flocks, at that time so less violently imposed upon, may be freed from Intruders.* This case, I say, I shall in the first place consider; because it was the first thing in the Petition, which was redressed by the Parliament. For within a day or two after this Petition was presented, this Act was made, which I have transmitted to you.

ACT

ACT restoring the *Presbyterian* Ministers, who were thrust from their Churches since the first of *January*, 1661. *April* 25, 1690.

Forasmuch, as by an Act of this present Parliament, relative to, and in Prosecution of the Claim of Right, Prelacy and the Superiority of Church-Officers above Presbyters, is abolished; and that many Ministers of the Presbyterian Persuasion, since the first of January, 1661. have been deprived of their Churches, or banished for not conforming to Prelacy, and not complying with the Courses of the Time. Therefore their Majesties with the Advice and Consent of the Estates of Parliament, Ordain and Appoint that all those Presbyterian Ministers per alive, who were thrust from their Churches since the first day of January, 1661. or Banished for not conforming to Prelacy, and not complying with the Courses of the Time, have forthwith free access to their Churches, and that they may presently exercise the Ministry in those Parishes, without any New Call thereto; and allows them to brook and enjoy the benefits and Stipends thereunto belonging and that for the whole Crop 1689. and immediately to enter to the Churches and Manses, where the Churches are vacant, and where they are not vacant, then their entry thereto is declared to be the half of the Benefice and Stipend, due and payable at Michaelmas last, for the half year immediately preceding betwixt Whitsunday and Michaelmas: Declaring that the present Incumbent shall have right to the other half of the Stipend and Benefice payable for the Whitsunday last bypast: And to the effect that these Ministers may meet with no stop or hinderance, in entering immediately to their Charges, the present Incumbents in such Churches are hereby appointed upon intimation hereof to desist from their Ministry in these Parishes, and to remove themselves from the Manses and Glebes thereunto belonging, betwixt and Whitsunday next to come, and that the Presbyterian Ministers formerly put out may enter peaceably thereto. And appoints the Privy Council to see this Act put in Execution.

which

Which Act you see uses the same colours for representing the odiousness of the usage these Presbyterian Ministers had receiv'd, that the Declaration and the Presbyterian Petition had made use of before, especially in the statutory part, where it says in express terms, that they were *thrust from their Charges*, (which can import no less than *Force and Violence* in opposition to *Law* and *Justice*, it calls the Churches from which they had been thus *thrust, their Churches*): As if notwithstanding their dispossession they had still continued to have a Title good in Law, and it restores them forthwith to the exercise of their Ministry in their Parishes, *without any New Call thereto*; Each of which singly, much more altogether make it evident, that this their restitution was intended by the Parliament not as an Act of Favour, but of Justice, as if these Ministers had been unjustly and illegally dispossess'd, and now Sir.

When all these things are laid together, so solemn a Declaration, the Presbyterian Ministers so earnest Petition, and the Parliaments so publick an Act, all conspiring to represent that matter so very odious and unjust, I hope it shall not be displeasing to you, if I shall endeavour briefly to set it in its due light. It is true indeed a good many of these Ministers were dispossessed *Anno* 1662. how many, I confess I cannot tell exactly, but I doubt much if they were so many as they are commonly said to be. I shall likewise grant, that they were dispossessed without either Accusation or Citation. Herein I acknowledge they speak truth, and yet I doubt if you shall find so much as one jot of iniquity in their dispossession when it is considered impartially. The case was truly this,

As before the Reformation of Religion in this Kingdom (which as to its Legal Establishment is variously dated, some reckoning from the year 1560. others from 1567.) Patronages of Churches in this Kingdom were in force; so when the Church was reformed, (notwithstanding

ſtanding of all the Changes which were then, and have been ſince,) our Law did ſtill continue them, and no man was ever judged to have a Legal Title to any Church or Benefice; unleſs he had a Preſentation from the Patron, and a Collation from the Biſhop, whilſt Epiſcopacy was the Legal Eſtabliſhment; which it continued to be for many years after the Reformation, without interruption: or from a Presbytery after Presbyterian Government began to prevail. And as this was ſtill our Law without any ſhadow of interruption, ſo it was likewiſe the conſtant Practice of the Nation, not only before the late Presbyterian Rebellion againſt King *Charles* the Firſt commenced, but even for a good number of years after, that is, till about the year 1646. or 1647. when the Rebellion by Divine Permiſſion turn'd proſperous, and the Kings Affairs were reduced to a very low ebb, and the Presbyterian Intereſt was in a very flouriſhing condition; till that time I ſay, Preſentations by Patrons to Churches were in conſtant practice (as well as warranted by Law) in this Kingdom. But then indeed the Kirk-men, ſenſible of their ſtrength, began to adventure amongſt other illegal Uſurpations (to ſay no worſe) to take upon them the diſpoſal of Churches and Benefices, by bringing that Cheat, which they called Popular Elections, in Vogue, and Preſentations by Patrons in deſuetude. I call Popular Election a Cheat; for in effect it was no other: and the poor deluded Populace had no more true Power than before, and Miniſters were as much impos'd on them then as ever, as might eaſily be made appear, not only from the common Methods were then taken in managing Elections, but alſo from the expreſs Limitations and Reſtrictions with which even the General Aſſemblies clog'd them. However the ſound of the Name, for a while, enchanted the unthinking multitude; and the Party had a turn to ſerve by it; and ſo it was puſh'd on with a great deal of Zeal in many places, without any conſiderable oppoſition (as indeed who durſt then

adventure

adventure to oppose what the Ministers were for). The Party thus finding their Strength successful in so many single instances, gathered suitable degrees of Courage; and pursued their design so effectually, that at last they got Patronages abolished, and Popular Elections set up by a certain Meeting of some Noblemen, Gentlemen and Burgesses, who were pleas'd to call themselves a Parliament *Anno* 1649. And this Act of that pretended Parliament, if it even deserves that Name, was all the pretence of Law that ever was for Popular Elections in this Church since the Reformation; but it was enough for the then Kirk; any shadow or colour of a Pretext, being still both Law and Gospel to them, when it makes for their purpose. And accordingly all the Ministers who were settled in any Churches after that time, till the happy Restitution of the Monarchy, that is for eleven or twelve years, were promoted after this new method.

No man, I think, can doubt but this was a palpable encroachment upon the rights of Patrons, and a trampling on Law, and by consequence a thing that called loudly for redress, when the King was restor'd, and the Government began to turn upon its proper hinges, and so no wonder if the first Parliament which was called by His Majesty took notice of it, as indeed they did, in their first Session which was holden *Anno* 1661. for in that Session two Acts were made which demonstrate, that the Parliament still look'd upon Patronages as subsisting by Law, notwithstanding the illegal interruption which had been made by the Act of the pretended Parliament in 1649. For instance in Act 36. 1. Parl. *Ch.* 2*d.* Session 1. it is statuted, and ordain'd, *That all Patrons shall be careful in time coming to grant Presentations only to such as shall give sufficient evidence of their Piety, Loyalty, Literature and Peaceable Disposition, and who before they receive the Presentation shall take the Oath of Allegiance*, &c. And in that same Act it is narrated: *That the King's Majesty ha*

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given a Commission, under the great Seal, as to all Presentations, to all Parsonages, Vicarages, and other Benefices, and Kirks at His Majesties Presentation: And all this without so much as once taking notice of that Act 1649. And the 54*th.* Act of that same first Session is altogether in favour of Laick Patrons. Now both these Acts, I say, were made *Anno* 1661. and so, before Episcopacy was restored, which was not till *May* 1662. which I observe, because, our present Presbyterians in their so often named Petition make the turning out of their Ministers *Anno* 1662. one of the sad consequences of the erection of Prelacy. For seeing the Parliament before the Restitution of Prelacy had considered Patronages as still subsisting by Law; as is evident from these two Acts. 'Tis evident if they were to Act consequentially they could not forbear to make some such Act as was made *Anno* 1662. (of which I shall instantly give you a further Accompt) though Episcopacy had never been Established. Nor can there be any imaginable difficulty to any man in this matter unless it be made a question, whether the Parliament when they thus supposed Patronages as still subsisting by Law made a just supposition. But that I think may be very soon determined: For as I have said all the old Laws of the Kingdom were positive for Patronages; only that Act of the pretended Parliament *Anno* 1649. could be pleaded for popular Elections; and what a Parliament was that? A Convention of Rebels, who had presumed to meet without being called by any Authority, except what they Treasonably assum'd to themselves. For all the World knows that King *Charles* the I. at that time was dead, I need not tell you how; and King *Charles* the II. was not within his Dominions, and was so far from calling that Parliament, or being present himself, or having any Commissioner or Representative at it, that I doubt much if he knew that there was such a meeting till it was Dissolved. All which (and many more such nullities, which

for brevity I forbear to mention) was so recent and notorious, *Anno* 1661. That the Parliament, tho it casted and annulled all the Acts of the pretended Parliament holden in the years 1640, 41, 44, 45, 46, 47, 48, by its 15th Act, yet did not so much as make the least mention of that Meeting in the 49th, not thinking it worthy of the Name, so much as of a Pretended Parliament. For which, whether they had not reason, I leave to the World to judge. But to proceed.

The Parliament having laid such a foundation, *An.* 1661. and continuing to act consequentially *Anno* 1662. They made an Act about the middle of *May*, which because it so distinctly clears the whole matter in its Narrative, I have transcribed at large.

A ACT concerning such *Benefices* and *Stipends* as have been possessed without Presentation from the lawful Patrons.

THE Kings most Excellent Majesty, being desirous that all his good Subjects may be sensible of the happy effects and fruits of the Royal Government, by a free, peaceable, and easie enjoyment of their due interests and properties under his protection. And that in his Restitution they may find themselves restored to those Rights which by Law were secured unto them, and by the violence and injustice of the late troubles and Confusions have been wrested from them: And considering that, notwithstanding the right of Patronages be duly setled, and established by the ancient and fundamental Laws, and Constitutions of this Kingdom, yet divers Ministers of this Church, have and do possess Benefices and Stipends in their respective Cures without any right or presentation to the same from the Patrons. And it being therefore most just, that the lawful and undoubted Patrons of

of Kirks be restored to the possession of the Rights of their respective Advocations, Donations, and Patronages. Therefore his Majesty with advice and consent of his Estates of Parliament doth statute and ordain, That all these Ministers who entered to the Cure of any Parish in Burgh or Land within this Kingdom, in or since the year 1649. (at and before which time the Patrons were most injuriously dispossessed of their Patronages) have no right unto, nor shall receive, uplift, nor possess, the rents of any Benefice, modified Stipends, Mause or Glebe for this present Crop, 1662. nor any year following, but their Places, Benefices, and Kirks, are ipso jure vacant. Yet his Majesty to evidence his willingness to pass by, and cover the miscarriages of his People, doth with advice aforesaid declare, that this Act shall not be prejudicial to any of these Ministers in what they have possessed or is due to them since their admission, and that every such Minister who shall obtain a presentation from the lawful Patron, and have Collation from the Bishop of the Diocese where he liveth, betwixt and the twentieth of September next to come, shall thenceforth have right to, and enjoy his Church, Benefice, Mause, Glebe as fully and freely as if he had been lawfully presented and admitted thereto at his first entry, or as any Minister within the Kingdom doth or may do. And for that end it is hereby ordained, that the respective Patrons shall give presentations to all the present Incumbents who in due time shall make application to them for the same. And in case any of these Churches shall not be thus duly provided before the said twentieth of September, then the Patron shall have freedom to present another betwixt and the twentieth day of March 1663. which, if he shall refuse or neglect, the presentation shall then fall to the Bishop jure devoluto, according to former Laws. And such like His Majesty with advice foresaid doth Statute and Ordain the Archbishops, and Bishops to have the power of new Admission and Collation to all such Churches and Benefices, as belong to their respective Sees, and which have vaked since the year 1637. And to be careful to plant and provide these their own Kirks conform to this Act.

 This

This Act you see is so very clear and plain, that it would be superfluous to insist on any long explications of it, only three things I would desire you to remember in it.

The first is, That, as I noted before, The Parliament insists mainly on the Rights and Privileges of the Patrons in the narrative and form of this Act; so that the *Presbyterians* talk wide in their Petition, when they say that this Act was one of the sad consequences of the Erection of Prelacy. Nay

Secondly, As it is obvious to any who considers this, This Act does not at all consider these Ministers as *Presbyterian*, for then it would have considered all Presbyterian Ministers equally, which it does not: for it only considers such as had illegally possessed themselves of such Churches and Benefices from the year 1649. at least so far as Laick Patrons are concerned. But not so much as a word of such as had entered before that year, and yet there were many such: And this Act was so far from depriving them that they continued in the exercise of their Ministry, and enjoy'd their Benefices for many years after that Act was made, and put in execution.

The third thing is, The Clemency of the then Government even towards these who had possessed themselves illegally of Churches after the year 1649. For you see the Act declares that the Parliaments Sentence, pronouncing all such Churches *ipso jure* vacant, was without prejudice to any of these Ministers, who should apply themselves to the lawful Patron, and obtain his Presentation. What greater temper could the Government then shew? Would they have had it to have downright authorized their illegal Usurpations? Was this to thrust them from their Charges, when they might have kept them upon so equitable terms? And was this a grievous Persecution? But to go on,

Not-

Notwithstanding that this Act was as peremptory, as it was just and reasonable, yet a great many of these Ministers who had entered illegally after the year 1649, from what Principle I am not now to enquire, turn'd obstinate, and refused to take the benefit offered by the Act of Parliament against the time prefixt: And therefore the Privy Council meeting at *Glasgow* after the term was expired, in pursuance of the design of the Act of Parliament, made an Act declaring all such Churches *ipsa facto* vacant. This was that famous Act which commonly passes under the name of the *Act of Glasgow*. And God knows how many ill things it has been called since by the Party, but with what reason, let any Man consider. But,

Perhaps that Act has been executed with some wonderful rigidity, and that hath raised the Clamour: No such matter, for in effect they themselves prevented all the trouble of a rigid Execution; for immediately upon the publication of the Act of *Glasgow*, they generally forbore the exercise of their Ministry, and deserted their Flocks: whether they did so from a mistaken Conceit, (That the Church could not be served without them) and that ere long the Government would find it self obliged to give them their Will, and court them to return to their Charges, as many then judged, I shall not now affirm; but that they actually did so, is so very notorious that to this very day they themselves dare not deny it. And there is nothing better known, than that they have more than once condemned themselves, and been condemned by the most judicious of their Party, for parting so tamely with their Churches. And now Sir,

Considering all I have said, where was the necessity of either Accusation or Citation. How ordinary is it in all Kingdoms and Commonwealths to prescribe such terms by Law, as whosoever shall not perform, shall be deprived of such and such publick encouragements without further process of Law? Need I rub up your Memory for Example?

ample? or have you not one fresh before your Eyes in the Kingdom of *England*? Besides it had been absolutely improper in their case; for the Parliament was not to punish them; as indeed it did not, but only it did declare, that they had no Title, as it was evident they had none.

I will only add one thing more upon this Head; suppose nothing could have been said in vindication of their deprivation, or rather dispossession, but it had been truly unjust; yet methinks it will very ill become the Presbyterian Party ever after the years 1688. and 1689. to open their Mouths about it; considering how many Ministers, (who had without Controversie entered to their charges according to Law) were most barbarously turn'd out of their Churches by pure force and Rabble; and all this was justified, and their Churches thereupon declar'd vacant, by I need not tell you whom; but of this more afterwards. And so much at present about the dispossession of the Presbyterian Ministers, *Anno* 1662. But I have not yet done with our Act of Parliament which restored them. For,

Besides the good Office it did them, we must try if it did any bad Offices to any other: and here, I think we may make short work of it. For you can no sooner set your Eye upon it, than you may see, that where the Churches were not vacant (*i. e.* where at the date of the Act, *viz.* the 25 of *April* 1690. they were possessed by the Episcopal Clergy) from which the *Presbyterians* had been thrust out, their restitution to them is declar'd to be to the half of the Benefice, and Stipend due and payable at *Michaelmas* Anno 1689. for the half year immediately preceding betwixt *Whitsunday* and *Michaelmas*, and the present Prelatical Incumbent shall have right only to the other half, payable at *Whitsunday*: And withal to the effect the Presbyterian Ministers may meet with no stop or hinderance in entering immediately to their Charges, the present Incumbents in such Churches are appointed upon intimation of this Act to desist from their Ministry in these Parishes, and

and to remove themselves from the Mauses and Glebes thereto belonging, betwixt and *Whitsunday* next to come; that is in six weeks time, or perhaps six days, just as the intimation shall be made. Now,

Not to insist on their case who had made no Compliance with the Civil Government, because I know not what severities their sin may merit. I would only ask you what may be thought of the case of those who had complied with the present Civil Government, and had still continued in the exercise of their Ministry at their respective Churches, many of them till near *Whitsunday* 1690. and some of them after it, whether was it equitable or not thus to deprive them of a whole years Benefice, for which they had served, and notwithstanding they were as good Subjects as their Majesties could desire, to turn them out of their Churches to which they had entered according to Law, without the least ground of hope to be provided of other Churches or Livings? Are they protected and encouraged according to the merit of their compliance? Will this usage they have met with be a good Motive for prevailing with the scrupulous, to bring them into a dutiful submission to the Government? Well; the good Old Cause is a wonderful thing, what can it not justifie? But enough of this. And so I have done with the second Act of the last Session of Parliament; which concerned the Church, or the Clergy. Only,

Before I proceed to the next, it will not be amiss I think to hint at some of its effects. I think you will not be very unwilling to believe, that those *known sound* Gentlemen in whose favour it was made, would be forward enough to have it put in execution, and indeed there was no want of zeal that way, but whether according to the strictest Rules of Christian simplicity and self denial in all instances, you may judge by these two at the present.

The first shall be the famous Mr. *James Kirtoun*, one of the most noted Presbyterian Preachers in the whole Kingdom.

dom. This (*known sound*) Man had entered, by the thing called *the Popular Call*, to the Church of *Martin* in the last times of Presbytery, and had been deprived with the rest in the year 1662. When K. *James* gave his toleration, *Anno* 1687. he was preferred to a Meeting-house in *Edinburgh* where, it seems, he found better encouragement than he expected to meet with, if he should return to his own Country-parish of *Martin*: And in this Meeting-house he continued, till after this Act of Parliament passed. Mr. *Meldrum* the Episcopal Minister at *Martin* had complied with the Civil Government, and done all Duty; and so continued still in the exercise of his Ministry there till toward the end of *August* 1690. that is ten or twelve weeks after *Whitsunday*; and not till then it was, that good Mr. *Kirkton* went to visit his poor old Parish. But then he went indeed with *Energy* suitable to his Party: for no sooner arrived he there, but presently he turned peremptory, demanded the benefit of the Act of Parliament, thrust *Meldrum* from the Parsonage-house and the Church; preached two Sundays there, and secured thereby his Title to the whole Benefice, from *Whitsunday*. 1689. and then returned to *Edinburgh*, where (as I hear) he has still resided since, without ever more minding his old Flock at *Martin*; and who can blame him? For every one who knows them both, knows that *Edinburgh* is a much better place, and now he has left his Meeting house, and possessed himself of a Church in that City, after a certain sort of *providential* manner; but I will not trouble you with an account of it at present, hoping that you may learn it shortly from another hand. In the mean time *Martin* continues still vacant. *Kirkton* is wiser (as I have said) than to put it in the ballance with *Edinburgh*. The rest of the Presbyterian Divines think it reasonable to take the best Benefices, so long as they have so much scope for choice; Neither will they suffer *Meldrum* the Prelatist to return at any rate. And they are in the Right, for the first book of Discipline

Kirkton resided

saith

saith, *It's better to have no Minister at all than a bad one.* Now the Subsumption is easie, if the Man ever owned *Episcopacy.*

The other Instance shall be Mr. *William Violent*, one of the gravest and ablest Men of the Party; he had been Minister before the restitution of the Government, at *East-Ferry* in the Shire of *Fife*, and was also dispossessed with the rest, *Anno* 1662, but he wanted a Benefice no longer (I think) than till K. *Charles* II. granted his Indulgence for planting some Churches in the *West* with Presbyterian Ministers, which was in the year, 1669. For he was among the first that embraced that Indulgence, and was possessed of the Church of *Cambus-Netham*; where he continued till about the year 1684. when that Indulgence was retracted, and the Laws were put in execution. But after K. *James* his toleration came out in the year 1688, he took the benefit of that too, returned to *Cambus-Netham*; got a Meeting-house (for the Church was planted with a regular Minister) and continued there (without ever minding the *Ferry*, where there was no such encouragement) till he had this Act of Parliament for him, and then about *Whitsunday*, 1690. To the *Ferry* he comes, dispossesses Mr. *White* a very old Man, who by reason of his Age was not able to officiate by himself. But his Assistant, one Mr. *Wood*, had complied in all points with the Civil Government; secures to himself the Benefice according to the Act; and then returns to his better Provision at *Cambus-Netham*, where he had the Benefice also, by another Act of the same Parliament, and where he still continued till he got a Call to be a Professor of *Theology* in the New College in St. *Andrews*: and so in one year he got the Rents of no less than three Benefices. Now this is pretty strange, considering that it was wont to be one of the principal Common Places of the Party in their invidious declamations against the pretended Corruptions of

the *Church of England.* For none was represented in blacker Dress, than the business of *Pluralities*, unless it was her *Antichristian Hierarchy* and *Idolatrous Liturgy.* But I remember I heard a rare Note of a Sermon, which was preached within these three years. *The Godly may sin, but the wicked must not.* And so I leave that second Act of the late Parliament and all its Appendages.

Proceed we now to consider the next, which concerned the Church and Clergy; namely, that wonderfully famous one, Intituled, *Act Ratifying the Confession of Faith, and setling Presbyterian Church-Government*, dated *at* Edinburgh *June the seventh*, 1690.

This *Presbyterian* Church government is the great *Diana* of the Party, and the true Parent of all these Tumults, Rabbles and Confusions, which ruined Religion, desolated the Church, and oppressed the Clergy: And therefore, this Act that establishes it, deserves a little more fully to be considered, which I shall do by these steps.

1. I shall briefly deduce the Arts were used, and the Methods were taken, to work up the Parliament to a suitable temper, before this weighty Point came to be debated, and voted in the House.

2. I shall consider the Treatment it met with in the House. And,

3. What Consequences it hath produced since. To begin with the

First, Indeed all hands were never more busie at work, than on that occasion. *Prelacy*, as no doubt you know already had been declared *an intolerable grievance and trouble to this Nation, and contrary to the inclinations of the generality of the People ever since the Reformation*, the year before, in our *new claim of Right.* This the meeting of Estates had done in an hurry (how truly and honestly, you may perhaps learn more fully on another occasion) after the whole *Ecclesiastical State*, and a great many Members

bers of both the other two had deserted the House; in pursuance of the same Article of the *Claim of Right*. The same intolerable Prelacy was abolished by the same meeting of Estates, after it was declared a *Parliament* about the 8th of *July* the same year. But then the House could not agree about a new form of Government, to be introduced upon the Church. Several Schemes were drawn and presented, but none pleased all Parties, and so no form at all was established, but the Church continued in a state of meer matter, without form and void of Government, for eleven Months after. A strange state, sure, for a Christian Church: I doubt if you shall find its parallel, since ever there was one; for there was much more in it than a *sede vacante*. But to go on.

During this state of *Anarchy* in the Church, some People's heads began to settle (as indeed they had need, after such an universal giddiness) and the sudden zeal many had lately taken up for *Presbytherian* Parity began to cool and relent, if not to decay and languish: People turned thoughtful, and began to reflect and examine, whether they had found Prelacy so intolerable a burthen, as the meeting of the Estates had declared it to have been; and their own sense not telling them any such thing: But finding their Necks not so much galled by that Yoke, which for some 27 or 28 years had lain upon them, and withal, calling to mind how many Necks had smarted so very sharply under the former Reign of Presbytery, that they were no longer able to bear their Heads. They began to compare things, and to consider if it was not better to continue at blunt *Cudgels* with *Prelacy*, than come streight to downright *Sharps* with *Parity*. In short, so far did such reasonings and recollections prevail, That *the Inclinations of the generality of the people*, which had been made the Standard in *April* 1689. were beginning to discover themselves to be very much different from what the Party expected,

about the end of that year, and the beginning of 1690. And there was no little solicitude among them, lest they had mistaken their Measures, and their dear *Parsy* might chance not to be established, according to their wishes: And therefore I say, all hands were most actively at work, and the whole Sect were studying to acquit themselves with a suitable diligence and application, about the time the Parliament was a meeting. For instance, not only had the Preachers their old Petition in readiness to be presented whenever it should be seasonable, of which I have discoursed already. But also,

That same week, if I remember right; the very day before the Parliament met, a worthy Piece came hot from the Press, Intituled, *A true Representation of Presbyterian Government, &c.* It was written by one Mr. *Gilbert Rule* the *Pamphleteer General* for the *Party*. We had no less than three Editions of it in a very few days, and the last the most considerable: For besides several Corrections and Enlargements in the Book, it had the addition of a Preface, wherein we were told that the Book was written half a year before, and endured an *Examen Rigorosum* of the most Judicious of the Party; which was News indeed, for no body would have known *that* by reading the Book. It is truly a marvellous Work, for in it you have not only *the Divine Right of Parity among Churchmen, and Kirk-Sessions, and Presbyteries, and Provincial Synods, and National Assemblies, and Ruling Elders, and popular Elections, &c.* most *doughtily* asserted; (it was no part of his task to prove) but also *Presbytery* and *Monarchy* reconciled to an acc: and the putting the Government intirely in the hands of the *known sound* Men most mysteriously justified. Doubtless it has been an unaccountable negligence in some body, that it has not been, before this time, Reprinted in *England*, and carefully dispersed all over that Kingdom. For who knows what light it might have diffused, and what Reformations

mations it might have wrought among you. But that which I am concerned to take notice of in it at present, is only this, That though the Author is content, that by the *Eye*, it should advance Gods Glory, and do good to Souls; yet he confesses neither of these was his principal end for publishing it, at that time. For that was *especially, that Presbyterian Government might stand right in the opinion of the King and Parliament*, &c.

And as Presbytery was thus represented and recommended, so the like care was taken to disgrace and defame Prelacy, in Pamphlets and Pasquils, as the very vilest of all vile things. And to all *such Dirt, Trash*, &c. the Press was open; but a Prelatist might as well expect to subvert the Government, as to get one Sheet Published in defence of his Cause. But this was not all,

It was not fit that the fate of the *good old Cause* should stand on nothing else but Paper supporters: The influence of two or three principal States-men (and if you please, you may joyn with them States-women), commonly carries on a Cause more effectually than a thousand Printed Volumes; and therefore it was necessary, that tool should be tried also, as vigorously as was possible. And therefore the great Lord *Melvill* a constant Friend to the good Cause, and now Their Majesties Comissioner, must give vent to his Zeal, in his Speech he made to the Parliament (they say with very little assurance) the first day they met. But whatever his Influence or Zeal might be, his Rhetorick was, no doubt, infinitely short of the florid and genuine Eloquence of that Learned as well as Potent Lord *W. E.* of *C.* who, the next meeting, which was *April* 22. delivered a Sermon to the House, wherein it was easie to discern no less Zeal, than Art; and no less Art, than Wisdom. It was forthwith Published, so that I cannot think, but you have seen it already. However to

Crauford

to make all sure I have herewith sent you a Copy of it. It's *true blue* all over, and you may be much *enlightened* by it. His Lordship was President of the Parliament, and that gave him the precious opportunity to open his Mouth and speak.

Vid. Paper at the end of this Book.

Thus were the *Commissioners place*, and the *Chair* filled, and the *Press* imployed. And who can imagine that upon such an exigence the *Pulpit* would be silent? That sure is not to be supposed: And indeed it was never exercised more warmly; For not only had they been still making it their work to promote their Interest by Melancholy Declamations against Prelacy, Prelates, and Prelatical Church-men, after they had got footing in the Churches: A Theme they are generally better skilled in, than in the substantial things of Christianity; but especially at that time, their *Fears* quickening their *Zeal*, they were extremely eager, and every one as he had the fortune to Preach before the Parliament, was sure to signalize his *fervour*, as much as any other of his good qualities, in behalf of *Christ's Kingdom*, as they call their *Yesterdays Parity*. I must confess indeed I had neither the opportunity nor inclination to hear their Sermons; but as I was told by some who did, and as I learned by such of them as were published, no man needed condemn them of Coldness or Indifferency; Thus,

Mr. *George Meldrum* of whom you have a sufficient Account in the *History of our late General Assembly*, in his Sermon preached before the Parliament *April* 27, exhorts them *to go on zealously in settling the Government of the Church of Christ, according to his own appointment*, recommends unto them that *Word* of *Artaxerxes*, Ezra, 7. 23. (this Text was scarce ever missed by any of them) *Whatsoever is commanded by the God of Heaven, let it be done diligently for the house of the God of Heaven*, &c. *commends them*

them, and blesses the Lord, that with so much Unity and Harmony (for the party had been infinitly afraid of the **Club*, that it should have marred all their designs, but by that time it was found too weak) *they had gone some footsteps already*, (that is, had abolished Prelacy and the Supremacy, and restored the Presbyterian Ministers) *exhorts them to go on, and prays that God may be with them*, &c. Was not this pretty fair for an old Conformist? But,

Good Mr. *Spalding* Clerk to the late General Assembly, who had sat many a day in a little Shop in the Town of *Irwin*, and measured out in retail many a *Noggan of Brandy*, was a man of much finer metal, for in his Sermon which he preached before the House upon the Eleventh of *May* (the second that was published) he tells them in *truer stile*, that now *God was making way for the utter ruine and fall of Antichrist and Popery, in all the formes of it*, (two of which, to be sure, are *Episcopacy* wherever it is, and the *Liturgy of England*) *that not so much as a Rag of the Whore may remain*, and his Church may sing in triumph *Babylon the Great is fallen, is fallen*: For why? *God is now carrying on the establishment of Zion upon her right basis and foundation.* And to shew that he was not a flattering Gospeller, who respected Persons. He tells them in a parallel betwixt King *Saul* and King *David* on the one hand, and King *James*, and King *William* on the other, (at least I protest, I can make no other sense of it) *that King* William *is not yet*

* *A Company of Noblemen and Gentlemen Members of the Convention and Parliament, who had been very Zealous at first for King* William, *and had not a little promoted the Revolution in* Scotland, *turned afterward malecontent; because (as themselves said) the* Claim of Right *was not observed; or (as their Adversaries alledge) because they were disappointed of the Preferments and Rewards, they thought due to their early services. To these joyned some other Members, who had been thought* Jacobites, *and they altegether were call'd the* Club. *They struggled for some time against the designs of the Commissioner*, &c. *but at length were defeated.*

absolutely

absolutely right, because he has Carnal Fears to bring the Ark (Presbytery), *into his own City* (the Church of *England*) and again, *labour to perfect the Reformation which ye have begun happily, and is greedily expected; and that speedily, and in the first place command, as in* Ezra 7. 23. *That whosoever is commanded*, &c. *Let Reformation, I say, be perfect, and throw to the door all that belongs to the Whore, even the Rags which she left behind her for an errand to return again* (all Prelacy and Ceremonies and set Forms) *and let none of Babels cursed timber and stone be taken to build the Lords house with.* (Let not so much as one Prelatist continue in the exercise of his Ministry, thrust them all out, that the whole *Kirk* may be planted with true Presbyterians). Further yet, *ye have under your care and tutory Christ's own Bride; she is a tender Virgin, and hath yet but little breasts, she hath been wounded in the house of her friends* (that must needs be, either by the *Cameronians*, or the *Politick Presbyterians*, if I may so call them, for sure in our Preachers Opinion, all the *Prelatists* come under the next denomination) *as well as by her Enemies, and she is not yet heal: Her wounds are yet bleeding: For the Lords sake prove to her as the Compassionate* Samaritan. Luke 10. 24. *Bind up her wounds, pour oyl into them, and take care of her, she is nobly born, she is a Kings daughter,* Psal. 45. 13. *New come from her banishment:* (For Christ, you must know had no Spouse in *Scotland* while Prelacy was in it. She had been banished the Kingdom) *And for her Fathers blessing, for her Bridgroom's blessing, and for her own blessing, who is ready to perish, deal kindly with her, and be faithful Tutors to her: Yea, ye have Christs Crown, his Glory among your hands,* (that is Presbyterian Government) *and if you take away, or suffer one Jewel of it to be lost or robbed, not only your Estates and Lives, but your Souls may go for it*, &c. Once more yet: *What will ye say when ye shall be sisted at the great Assise, before the*

the Tribunal of Christ, to that Question? What Justice and Vote gave you to me, and my afflicted Church in the first Parliament of King William *and Queen* Mary *in* Scotland? *Was you for me or against me?* And then he concludes telling them for their encouragement to Vote right for Presbytery, That, *as the eyes of the Lord, his Holy Angels, and all his People in this Land, yea of all the Protestant Churches, are upon them,* (for who dares doubt but all the Protestant Churches were extremely concerned to have Presbytery set up in *Scotland*) so *they are upon the wings of the Prayers of the flower of the Godly in* Scotland: And who would not be animated by such a flight as this? Here was Preaching for a Parliament!

A Third Sermon, which was Printed, was Preached by the Learned Mr. *Rule*, whom I mentioned before, on *Sunday* the 25*th.* of *May*, the *Sunday* next before the *Wednesday* on which the Act was Voted; and so it was time then, or never to speak, which forsooth, the man did accordingly: For after he had insinuated enough of dislike to the *Club*, (as none of them omitted to do), and had particularly chastised Sir *James Montgomery* of *Skelmurly*, though he did not name him; for Sir *James* had made a long Speech in the House some days before, wherein he had pleaded zealously for setting up true *Fourty-Nine Presbytery* in all its dimensions; and had made use of this as one of his principal Arguments; *That Presbytery thus Established, would prove the best and most effectual mean, could be devised for curbing and restraining the extravagancies and excesses of Princes*; which was Interpreted by those of the *Gang*, as intended of design to screw up Presbytery to the highest peg, that so it might turn the sooner intollerable, and by consequence be the sooner turned down again: For though Sir *James* the year before, had shewed a singular Zeal for the *Good Cause*, yet he was now one of the leading Men of the *Club*: And it was confidently talked, that he kept a Correspondence with King

 James,

James, and so he was look'd upon by the Party, as a *false Friend* as they term it. After our Preacher, (I say) had fairly chastised Sir *James* for this, he comes to his purpose by cunning and smooth advances; For first he tells them, what a Glorious Nation they would make *Scotland* by erecting Presbytery in it. *The warlike* Philistines, *the rich trading Tyre, the ancient* Ethiopia won'd be nothing to it. *Make poor* Scotland *a well Reformed Church* (set up Presbyterian Government in it) *and you shall please God, and do him better service, than if you could make her richer, and more potent and splendid than any of her Neighbour Nations.* This was a good beginning: But what was the next step? Why a necessary fling at Prelacy: *We plead not for a Papacy to be Cardinals or Prelates*, &c. As if it were unquestionable that Prelacy hath an essential connection with Papacy or Cardinalism. After this again, another very courteous humble one for *Presbytery*. *We pretend not to make Church Laws, but declare those Christ hath made, and to impose them (not what we think fit) by his Authority, and to censure such as will not obey his Laws, not as we will, but as he hath appointed. We set up no* Imperium in Imperio, *but a* Ministerium &c. Wonderful fine Cant *Alamode*. Then another fling, yet not so much at the *Scottish* as the *English* Prelatists. *Neither is the Church preferred, nor Religion promoted by setting up a Pompous, Gaudy, Theatrical kind of Worship, by pretending to adorn it by Modes and Religious Rites that Christ hath not instituted* &c. Our Preacher was owing the Church of *England* this, because one of her Bishops (Dr. *Cousins* Bishop of *Durham* I think it was), had excommunicated him; from which Sentence, I believe, to this very hour he was never released; having thus made his Address, he comes home at length to his business. *Let Christ's Church enjoy all the Privileges that he has granted her. If any man withhold any one of them, they do not advance the mountain of the house of the Lord as they should. Sound Doctrine, pure*

pure Ordinances, a godly Ministry, a Government drawn from Christ's Institution, and Apostolical Practice, and that tendeth to advance Holiness (for *Prelacy*, no doubt, tendeth to advance nothing but *Atheism* and *Irreligion*) *that it be managed by its Friends*, (by the *known sound Presbyterians, and not by them that would supplant it*) not by these juggling Prelatists, who would now be content to call themselves Presbyterians, so that they may be permitted to keep their Benefices) *That they assemble as oft as is needful for this end*, (*i.e.* have the power of calling, ordering and dissolving General Assembles independent on the Crown, *&c.*) *That Church-Officers be look'd out and chosen by the People of God, and not imposed upon them by mens will: That the Fountains out of which a Godly Seed for the Church may issue, be kept pure*, (*i. e.* that no *Prelatist* be permitted to stay in the Universities) *that Discipline may be duly exercised, and whatever Letts to Religion, and Snares to the serious godly, Men have framed into Laws* (*i. e.* all the Penal Statutes against the Presbyterians) *may be removed: This would conduce much to the advancement of the Church*; *and* (N. B.) *and if any of these be neglected, she is not set upon the top of the Mountains, but somewhat else is preferred to her*: At this rate dogmatized Mr. *Gilbert*.

The Fourth whose Sermon was published, was that able Man Mr. *David Williamson*: 'Tis true indeed it was not Preached till after Presbytery was established; and so you may think it is inartificially done to bring it in here; but I had rather take a reproof for transgressing the rules of History, than not record the Testimony of such a *vigorous* Witness; especially considering how notable it is; for it is in real sense, that Christ was a Martyr for Presbyterian Government. His very words are these; *Church-Government is no light matter, it is an ordinance of God, the Royal Diadem of Christ, he was a Martyr on this head, it was his Ditty on the Cross*. Joh. 19. 19. *Jesus of Nazareth King of the Jews*. A wonderful Sermon this was

as ever you read, I was once at the pains, to number the particulars he had amassed in it: And if my memory serves me, they were about 180.

I have thus given you this tast of their Sermons, at once, though it is not so exactly agreable to the true order of things, that you may have the fuller view of them; and I might not be obliged to make so many interruptions as another method would have required. And by this sample you may judge both of the parts and zeal of the rest of the *Brethren*; for it is not to be doubted but those whose Sermons were not judged accurate enough for the Press, were yet every whit as much heated with the *holy fire*, according to the proportions of their *Capacities*, as these first *Rate-men*. But neither was all this yet enough for securing the *precious Interest*: It was necessary to set other tools also a going.

One there was, which I believe had no inconsiderable influence; there was a generation of *Female Advocates*, (belike some of them Disciples of such as Mr. *David Williamson*) Ladies and Gentlewomen, who came at that time and stay'd at *Edinburgh*, and made it their work by all imaginable ways, to influence the Members of Parliament into a zealous disposition to carry on the work.

There was also great throngs of the Preachers still in Town, who could not have any other business, but to do what they could for advancing the Cause; but I believe the Holy Sisters, the Citizens Wives, and some of themselves too were as successful in making Proselytes as the Preachers; for they had better occasion to traffick with such of the Members, as stay'd at their houses, or were of their acquaintance: And besides they had t'other shilling in greater readiness to give for a pint of Sack; and that goes very far with well disposed People.

After all these, there was a certain company of Planets, little Luminaries, Members of Parliament (some of whom I could name if it were needful) who made it their trade early

early and late, in ſeaſon and out of ſeaſon, in all companies and on all occaſions, to vex the more intelligent, and to fright the leſs diſcerning (and very many were ſuch) into a forwardneſs for Presbytery. Nay, more yet, it was confidently talked, that not a few of the meaner ſort of Members got Money, and were kept upon Penſion, that they might be ſervicable. By theſe and other ſuch Arts was the *Cauſe* carried on, and no Methods were left uneſſayed, till a competent number of Votes were ſecured for every thing, that the *Commiſſioner* intended: While in the mean time the *Club* was entirely broken, and the generality of the Kingdom, who were of other Principles, found themſelves obliged to live quietly and wait a more proper ſeaſon for diligence, and action. And ſo much for the firſt part of my undertaking: Come we now to the

Second, Which is, to give you a brief Account how this Act was prepared, debated, voted, and at laſt got the Royal Aſſent in the Houſe.

It was introduced according to its quality, by the Earl of *Sutherland*, who preſented an Act to the Houſe concerning it, upon the ——day of—— I have ſeen a Copy of it, and thought once upon Tranſcribing it for your uſe; but it was tediouſly long and coarſely worded, and it contained little more than what you have in the Printed Act, and therefore after ſome more thinking, I judged it not worth the pains. Although it was believed that it was compiled by ſome of the *Brethren*, who were beſt ſtudied in the matter; ſome other ſchemes were alſo given in by ſome other Members, but his Lordſhip's got the preference: It was moſt regarded and beſt liked by *Melvil* and *Crawford*, (who probably had ſeen it before) and ſo it was particularly recommended to the Committee which was nominated for Church Affairs. Eighteen were at firſt named to be of that Committee, *viz.*

Noblemen.

Noblmen.	Barons.	Burgesses.
Earl of *Crawford*,	Sir *John Maxwell*,	Sir *Tho. Stewart* of *Coltness*,
E. of *Sutherland*,	Sir *Patrick Hume*,	*Anderson* for Glascow,
V. of *Arburthnet*,	Sir *John Monro*,	*Smith* for St. *Andrews*,
V. of *Stair*,	Laird of *Levingston*,	*William Heggins*,
L. *Cardrose*,	Laird of *Brodie*,	*James Keuman*,
L. *Carmichael*.	Laird of *Dalfoilly*.	*Patrick Mordock*.

All of the true stamp except the Laird of *Levingston*, who, it was thought was named merely for shew, or that it might not be said, they were all *Presbyterians*: Besides these first Eighteen, I think other two were added afterwards, but I have forgot their names.

This Committee met very often, and commonly they had some of the leading Ministers with them, for advice: At last after many an hour, and much pains spent about it, it was returned, by the Committee to the House on *Friday* the 23*d*. of *May*, more briefly and distinctly digested indeed, and much more smoothly worded; and yet without any substantial alteration, or difference betwixt it, and the E. of *Sutherland's Copy*. Being thus prepared and returned to the House, in the first place, it was twice read over, all the Members composing themselves to a diligent and headful Attention: This done, not a few points in it were debated, and several Amendments were made. But before I proceed further, I will set it down, as it was at last agreed upon, and made a Law, and then give you a brief account of some particulars in it, which may perchance contribute something to your better understanding of it.

ACT

A C T Ratifying the Confession of Faith and settling *Presbyterian* Church-Government. *June* 7. 1690.

OUR Soveraign Lord and Lady the King and Queens Majesties, and the three Estates of Parliament, conceiving it to be their bound Duty, after the great deliverance that God hath lately wrought for this Church and Kingdom, in the first place to settle and secure therein, the true Protestant Religion according to the truth of Gods word, as it hath of a long time been Professed within this Land: As also, the Government of Christ's Church within this Nation, agreeable to the word of God, and most conducive to the advancement of true Piety and Godliness, and the establishing of Peace and Tranquillity within this Realm; And that by an Article of the Claim of Right, it is declared, that Prelacy and the Superiority of any Office in the Church above Presbyters, is and hath been a great and unsupportable Grievance and Trouble to this Nation, and contrary to the Inclinations of the generality of the People ever since the Reformation, they having Reformed from Popery by Presbyters, and therefore ought to be abolished: Like as by an Act of the last Session of this Parliament, Prelacy is abolished, therefore their Majesties, with the Advice and Consent of the said three Estates do hereby revive, ratifie and perpetually confirm all Laws, Statutes, and Acts of Parliament, made against Popery and Papists, and for the maintenance and preservation of the true Reformed Protestant Religion, and for the true Church of Christ within this Kingdom in so far as they confirm the same, or are made in favours thereof. Like as, they by these presents, ratifie and establish the Confession of Faith now read in their presence and voted and approven by them, as the publick and avowed Confession of this Church containing the sum and substance of the Doctrine of the Reformed Churches; (which Confession of Faith is subjoyned

joyned to this present Act). As also, they do establish, ratifie, and confirm the Presbyterian Church-Government and Discipline: That is to say, the Government of the Church by Kirk-Sessions, Presbyteries, Provincial Synods, and General Assemblies, ratified and established by the 114 Act Jac. VI. Parl. 12. Anno 1592. Entituled, Ratification of the liberty of the true Kirk, &c. And thereafter received by the General Consent of this Nation to be the only Government of Christ's Church within this Kingdom; reviving, renewing and confirming the foresaid Act of Parliament, in the whole heads thereof, except that part of it relating to Patronages, which is hereafter to be taken into consideration: And rescinding, annulling, and making void the Acts of Parliament following, *viz.* Act Anent Restitution of Bishops Jac. VI. Parl. 18. Cap. 2. Act Ratifying the Acts of the Assembly. 1610. Jac. VI. Parl. 21. Cap. 1. Act anent the Election of Arch-Bishops and Bishops. Jac. VI. Parl. 22. Cap. 1. Act Intituled Ratification of the five Articles of the General Assembly at *Perth.* Jac. VI. Parl. 23. Cap. 1. Act Intituled, for the Restitution and Re-establishment of the ancient Government of the Church, by Arch-Bishops and Bishops. Charl. II. Parl. 1. Sess. 2. Act 1. Act anent the Constitution of a National Synod. Charl. II. Parl. 1. Sess. 3. Act 5. Act against such as refuse to depone against Delinquents, Ch. II. Parl. 2. Sess. 2. Act 2. Act Intituled, Act acknowledging and asserting the right of Succession to the Imperial Crown of *Scotland.* Ch. II. Parl. 3. Act 2. Act Intituled, Act anent Religion and the Test. Ch. II. Parl. 3. Act 6. With all other Acts, Laws, Statutes, Ordinances and Proclamations, and that in so far allanerly as the saids Acts and others generally and particularly above mentioned, are contrary, or prejudicial to, inconsistent with, or derogatory from the Protestant Religion, and Presbyterian Government, now Established; and Allowing and Declaring, That the Church-Government be Established in the hands of, and exercised by, these Presbyterian Ministers, who were Outed since the first of January 1661. for Non-Conformity to Prelacy, or not complying with the Courses of the Times, and are now Restored by the late Act of Parliament, and such Ministers and Elders only as they have admitted, or received, or shall hereafter admit or receive: And also,

also, that all the said Presbyterian Ministers have and shall have right to the Maintenances, Rights and other Privileges by Law provided to the Ministers of Christs Church within this Kingdom, as they are, or shall be legally admitted to particular Churches. Like as in pursuance of the Premisses, Their Majesties, do hereby appoint the first meeting of the General Assembly of this Church, as above Established, to be at Edinburgh, the third Thursday of October next to come in this instant Year, 1690. And because many Conformed Ministers either have deserted or were removed from Preaching in their Churches preceeding the 12th. day of April 1689. And others were deprived, for not giving Obedience to the Act of the Estates made the said 12th. of April 1689. Entitiled, Proclamation against the owning of the late King *James*, and appointing publick Prayers for King *William* and Queen *Mary*. Therefore, Their Majesties with Advice and Consent aforesaid do hereby declare all the Churches, either deserted, or from which the Conformed Ministers were removed or deprived, as said is, to be vacant, and that the Presbyterian Ministers exercising their Ministry, within any of these Parishes (or where the last incumbent is dead) by the desire or consent of the Parish, shall continue their Possession, and have right to the Benefices and Stipends, according to their entry in the Year 1689. And in time coming any and while the Church as now established, take further course therewith. And to the effect, the disorders that have happened in this Church may be redressed: Their Majesties with Advice and Consent foresaid do hereby allow the General Meeting and Representatives of the foresaid Presbyterian Ministers and Elders, in whose hands the exercise of the Church Government is established, either by themselves, or by such Ministers and Elders as shall be appointed and authorized Visitors by them, according to the custom and practice of the Presbyterian Government through the whole Kingdom, and several parts thereof, to try and purge out all insufficient, negligent, scandalous and erroneous Ministers, by due course of Ecclesiastical Process, and Censures, and likewise for redressing all other Church disorders. And further it is hereby provided,

 that

that whatsoever Minister, being cumbered before the said General Meeting, and Representatives of the Presbyterian Ministers and Elders, or the Ministers to be appointed by them, shall either prove contumacious in not appearing, or be found guilty, and shall be therefore censured whether by Suspension or Deposition, they shall ipso facto be suspended from, or deprived of their Stipends and Benefices.

If one had a mind to dispute, how much matter might this Act afford him? But that's no part of my present task, I will therefore, as I promised, only give you a brief account how some things in it were debated before it received the Sanction.

First then, though any man who reads it may easily observe, that all along the framers of the Act have had their eyes fixed on the Presbyterian Petition, which I have given you already; yet it is observable, that *the Confession of Faith* is only ratified and approved, and the *Catechisms* and *Directory* (whose Ratification was likewise craved in the Petition) are omitted. How came this to be done? The truth, in short, is this, all these things were in the Act as it was prepared by the Committee: But when they began to consider that Article in the House, beginning with the Confession of Faith, the Duke of *Hamilton* moved, "That it might be read "all over with an audible and distinct voice, and atten-"tively considered before they should give it the legal "Sanction; for (as he argued) that Confession of Faith "had never been ratified in Parliament before: And it "was not suitable to the weight and importance of such "an Affair, nor to the wisdom and care of a Parliament "to ratifie what had never been publickly considered in "Parliament. This reason had such force with it, that it was agreed it should be read; and *the Laird of* Craiginsh *moved that if it must be read, it might be read on the*

Lords

Lords day; having doubts probably; that it might be a Prophanation of it to read it on another day: However it was agreed it should be read on *Monday* the 26*th.* as soon as the Parliament should meet, and so it was, and heard with what attention the Members were pleased to give it. I believe it was the first time a good many of them had ever heard it. However it passed without any exception, which was pretty fair for such a vast number of Propositions as are contained in the *Westminster Confession.*

The *Confession of Faith* thus approved, it was moved next that the *Catechism* might be read over also: But the Confession had worn out some three or four hours to them; and most part were wearied with it, and beginning to discover, some by looks, some by whispers, that they were no way willing at that time to hear any more such long *Lectures*, and so it was moved by the D. of *Hamilton* (who was probably well enough satisfied to escape the hearing them also) that the *Catechism* and *Directory* might be forborn: "For (as he said) "they had now voted the *Confession of Faith*, and that "was a sufficient standard, and so they might leave the "rest to the Ministers to be managed according to their "Discretion. This Proposal was greedily snatched at by the most part: But there were some of the Ministers in the House who were not a little surprized, that the Parliament appeared so unanimous to neglect what they had so expressly craved in their Petition, and so they were like to fall a muttering; which the Commissioner perceiving he left his Throne, and went out of the House to another apartment, the Earl of *Crawford* first, and then the Ministers following him. What passed among them there, whether the D. of *H.* his Reasoning, after they had pondered, satisfied them, or they themselves stumbled upon some new Discovery, I am not able to tell: Though there wants not probability, that there might be some-

 thing

thing of the latter: Of this at least, I am sure, a very good Reason for forbearing the pressing the Ratification of the *Catechism* and *Directory* any further, was very obvious: For,

The *Directory* positively and peremptorily appoints *The Scriptures to be read publickly in Churches, one Chapter out of each Testament at least, every* Sunday *before Sermon, as being part of the publick worship of God, and one means sanctified by him for the edifying of his People.* Which the Presbyterians in *Scotland* have been so far from observing these many years, that not only has there been no such practice among them, but even in some very considerable Churches, they lately got a custom of reading the Sermon which was last Preached, ere ever it was taken from the speakers mouth, by some zealous and swift handed Brother, instead of the *Scriptures*, before the Preacher come to the Pulpit. And besides this,

The same *Directory*, *because the Prayer which Christ taught his Disciples, is not only a pattern of Prayer but, it self, a most comprehensive Prayer*, recommends it to be used in the Prayers of the Church; and the *larger Catechism* is express to the same purpose. And yet as the guise goes now, it would be a mighty scandal to the *Sect*, if any Brother should say that Prayer. For this reason, I say, it seems to me very consequential, that the Ministers needed not have been very earnest for having the *Catechism* and *Directory* ratified: But, as I said, I cannot tell if this reason occurred to them on that occasion. But it seems some one or other did. For after they returned to the House the matter was compounded, and the Duke's motion was agreed to; and so the Article was framed as you now have it, without mentioning the *Catechism* or *Directory*.

The second thing that I shall take notice of in this Act, shall be the repealing of a former Act of Parliament, Intituled, *Act acknowledging and asserting the Right of Succession.*

cession to the Imperial Crown of Scotland, Ch. 2. Parl. 3. Art. 3. I need not send you a Copy of that Act, for doubtless you have seen it. In short, it is an Act, declaring, "That, according to the fundamental Constitutions of the *Scottish* "Monarchy, the Crown descends by lawful Succession, "according to the proximity of blood: so that, in that "same instant, in which the present Sovereign dies, the next "in blood is setled on the Throne.

This Act was not named with Rest which were to be repealed, *as inconsistent with the Protestant Religion and Presbyterian Government*, in the Act as it was prepared by the Committee: But no sooner came they to consider these Acts which were to be repealed, in the House, but Sir *James Montgomery of Skelmurly* made mention of this, and pleaded earnestly that it might be *likewise inserted* and annulled: "His reason was, because that Act was utter- "ly inconsistent with the security of the Protestant Reli- "gion: For by that Act, the next Heir might come to the "Throne, and actual administration of the Government, "without taking the Coronation Oath, which was the "only Security the King could give for the Protestant Re- "ligion: and it was possible the next Heir might be a "Papist; And then he insisted to shew how all this was contrary to the Claim of Right.

"The Duke of *Hamilton* pleaded on the other hand, "That to rescind that Act, was to cut the lineal Succes- "sion, that he remembred very well, that Act was made "as much, if not more, to exclude the Duke of *Monmouth*, "as to make way for *K. James*. And that it was a very "tender Point, and dangerous to speak about. The Lord "*Stair* added, That it was Treason even in Parlia- "ment (unless one had a good backing) to move "the rescinding of it: Nor was it necessary to rescind it, "seeing whatever was prejudicial in it to the Protestant "Religion, or Presbyterian Government, was *ipso facto* to "be rescinded by this Act they were now a forming: But

Sir

Sir *James Montgomery* of *Skeemurly*'s Reasons prevailed; And so it carried that it should be inserted, and rescinded with the rest, in so far at least as it was inconsistent with the just now named Interests.

The making so great a Stir about this Act, I remember at that time made no little Noise, and underwent several Censures out of the House. Some wondered what had moved Sir *James* to start such a matter. Was it merely to *rub up old Sores*? as we say: For where was the difficulty of securing the Protestant Religion, though that Act had stood in force? Is the Protestant Religion inconsistent with a lineal Succession? Or was it inconsistent with the Protestant Religion to say, That God Almighty is an earthly Sovereign's immediate Superiour? None of these could ever enter into a Mans head who had so much sense as Sir *James Montgomery*; so it was conjectured, he had some other thing at the bottom.

"On the other hand, it seemed as strange to many, that "the Duke of *Hamilton* should have pleaded so zealously "for the continuation of that Act and for the lineal Suc-"cession? It's true indeed, (said they) consider him as "Duke of *Hamilton* and he had good reason to appear for it, "it being so nearly the concern of his own Family. But "consider him as a President of the late meeting of Estates, "and the principal Person who deposed K. *James*, and ex-"cluded him whom he himself had sometimes acknowledg-"ed to be the Prince of *Scotland*, without ever offering at "a Reason for it, and transferred the Crown upon their "present Majesties, and they could not see how he was con-"sistent with himself. But,

As for my Lord *Stair*, Few thought it strange that he should have so reasoned. *It was Treason to move the Rescinding of that Act, even in Parliament, unless a Man had a good backing*, which was readily interpreted to be just as much, as if he had said, That a Man that had a good backing *Power and Party* enough, might say any thing in Par-

Parliament, or out of Parliament without being guilty of Treason: But perhaps, you may be apt to say, what is all this but Digression; For wherein is the Church or the Clergy concerned in this matter? To which I shall make no other Reply but, Was not all this stir made about this Act, in behalf of the Protestant Religion?

The next thing I would have you to consider, is the establishing the whole Government of the Church in the hands of the *known, sound Presbyterians*, &c. as it was craved in the Petition: I have told you already how this Article displeased the year before, while the Duke of *Hamilton* was Commissioner: but now, you see it was granted: yet not without some opposition. For,

On Friday *May* 23. the first day that the Act was debated in the House, a Petition was given in by some of these Episcopal Ministers who had given obedience to the Civil Government; I am affraid the Copy I have of it is not Corrected, and therefore I will not transcribe it in form, but it was this for substance.

" They for themselves, and others of the Episcopal per-
" suasion, who have submitted to the Government of their
" present Majesties, according to Law, do humbly Suppli-
" cate; That, according to the protection promised them
" they may be secured in the possession of their Offices and,
" Benefices: They humbly conceive, that, to put the Ec-
" clesiastical Jurisdiction intirely into the hands of the
" *Presbyterians*, and establish them the sole Judges of their
" Life and Doctrine, will be in effect to turn them out of
" that Protection: For they shall not only thereby be
" deprived of all share and Interest in Ecclesiastical Govern-
" ment, though they have every way as good a Right to,
" and are as capable of managing that Trust, as the Presby-
" terian Ministers, and do very far exceed them in num-
" bers; but also shall be subjected to the Arbitriment of
" a Party who profess it, their Duty, to purge the Church
" of all Ministers who have at any time declared for the

" Law-

"Lawfulness of Episcopacy: Whom therefore, (though "they are not afraid of the strictest impartial Tryal) they "decline as their Judges; which Declinature, the Presby-"terian Ministers themselves cannot but in reason acknow-"ledge to be just and equitable, considering that they have "all along refused to submit to the Jurisdiction of the Di-"shops upon the like Reason. That it has been still mat-"ter of regret of them, that the Differences upon the ac-"count of Opinion about Church Government have been "so much kept up; That therefore it would please the "Parliament to appoint a Conference betwixt some Mini-"sters of both Persuasions, which they most humbly con-"ceive may prove a good Expedient for curing the Di-"stemper, or at least for finding where it lieth. They do "not take upon them to prescribe to the high and honou-"rable Court, but in all humility supplicate for these "things: to the end that the true Protestant Religion, for "which they have still declared their Zeal, may flourish; "and they and others for their Opinions about Church-"Government, (which they are ready to maintain and justi-"fie) may not be oppressed in their Consciences and Interests.

The Petitioners did not expect that the Grand point of the Church-Government should have been so soon brought to the House, so that this their Petition was penned in such haste, that they had not time to wait upon the *Commissioner*, and acquaint him with it before it was presented: However while the Duke of *Hamilton* was disputing the Equity and Reasonableness of that Article in the House, one *James More of Stonywood* presented it, and craved that it might be read: the Duke of *Hamilton* back'd him warmly; so it was read, but then it was immediately hissed at: The Noise was great, and the Cry was loud that it was indiscreet, unmannerly, arrogant, and what not? And all this, forsooth, because they called themselves Ministers of the Episcopal Persuasion; compar'd themselves for Abilities with the Presbyterian Ministers; declin'd them as their Judges;

Judges; crayed a Conference, and undertook to maintain the Lawfulness of Episcopacy: Extravagant impudence sure!

This Petition being thus rejected with disdain, the *Duke* thought it not fit at this time to insist any longer; so there was no more that day concerning that Article; except that one Mr. *Ross*, a Commissioner for some Northern Burgh, moved; "That at least those Presbyterian Ministers who had "been *Deposed* by those of their own Persuasion before the "restitution of Episcopacy, *Anno* 1662. might not be in-"cluded in the number of those *known sound Presbyterians*, "in whose hands the Government was to be established in "the first instance: But his Motion was not regarded: And indeed it had been a great oversight if it had, for thereby the worthy *Master Kennedy* who was Moderator of the late General Assembly, and some other such zealous Brethren had been excluded, which might have been of very sad Consequence to the *Kirk*. But,

The *Duke* was at his purpose again on *Wednesday* the 28. and insisted largely on the iniquity of putting the Government solely in the *known sound Presbyterians hands*. He argued "from the *Prince* of *Orange*'s Declaration for the "Kingdom of *Scotland*; from the great purpose of his "coming to *Britain*, from his Declaration for keeping the "Peace in the Kingdom of *Scotland* dated *February* 6. 1688; "from the Proclamation of the Estates, *April* 13. 1689; "from the nature of the thing, and from many other To-"picks, but all to no purpose: for when it came to a *Vote*, it carried easily, that the Article should stand as you now see it in the Act: Thus were some Hundreds of the Episcopal Persuasion, by Act of Parliament, exposed to the fury of *Fifty* or *Sixty* sworn Enemies, without any imaginable necessity: For had it not been easie for the Parliament, if they had had a mind to it, to have setled Presbyterian Government, so, as that all who owned the Civil Government, and were willing to continue in their Charges without

 Bishops,

Bishops, might have been obliged to live peaceably together, and carry on the Common work of the Ministry? But it seems the Parliament were resolute to support a Party. But enough of this.

There was some Dispute also about a Clause which was in the Act, as it was prepared by the Committee; in that Article, which grants the Power to the Presbyterian Ministers and Elders (even before the General Assembly should meet) *to appoint and keep Visitations, for trying and purging out all insufficient, negligent, scandalous and erroneous Ministers* (that is, all who were void of the *Grace of Presbyterianism*) *by due course of Ecclesiastical Process and Censures, and redressing all other Church-Disorders*: For here it was subjoined; *to all which Censures the Civil Sanction is hereby interposed.* About this Clause, I say, there was some Dispute; but it lasted not long, for the *Duke of Hamilton* his reasoning prevailed; which was, "That that "Clause must necessarily import an implicite Faith in the "Presbyterian Ministers Inerrability; For if it was possible that they might judge wrong, should the Civil Sanction for all that, be still interposed? How strange "would that be? and what might be its Consequences? So, that Clause, as you see, was expunged. Indeed the Civil Sanction had been interposed very laudably many a time since, if that Clause had been retained: and many a sweet Sentence had it backed: but it is no part of my present Task to meddle with these.

I might insist upon a great many other things, which bred no little Dispute; Such as the Kings Power in Ecclesiastical matters, and especially in calling and Dissolving General Assemblies, &c. The *Duke of Hamilton* and Sir *John Dalrymple* were Advocates for the Prerogative of the *King*; and Sir *James Montgomery of Skelmurly and others* for the Prerogative of the *Kirk*: It was a nice Point; and vast Harangues were made on both sides. It was debated all the three days (*i.e. the* 23. 26 *and* 28 *of* May,) and

at last left in sufficient obscurity. But to be brief, I will only insist on one Article more, which deserves a little more fully to be represented.

It is that Famous Article in the Act, concerning *the Rabled Ministers*. I think I need not tell you how they were turned out of their Churches by *Force and Tumult*, about the beginning of the late Revolution, nor how they were directly excluded the protection of the Government by that Admirable Proclamation of the Meeting of Estates, dated *April* 13. *Anno* 1689. These things and many more, which concern these poor People, you cannot be ignorant of, if you have ever read the *Four Letters*, or *the Case of the present Afflicted Clergy in Scotland*. And sure I am, any Man that understands how they were treated in that wonderful Year 1689. cannot but think they met with very hard measure: yet for all that they had still some hopes of redress: For they could not believe, but the Government sometime or other would take their Case to consideration, and do them something like Justice: In this Faith, I say, they lived till this Act was forming: So that when they heard of the Article that concerned their Case, it was no wonder if they were sadly disheartned; as indeed they were, to such a Degree, that the most part of them who were then at *Edinburgh*, had once very near resolved calmly and silently to sit still, and receive the blow which was design'd them, without ever giving the Parliament the trouble of any Address or Petition. Yet after the first Consternation was over, I know not how, but some of them collected so much Courage as to think of giving in a Petition, which might represent their Case, and crave a Remedy. "What (said they) may the World "think of us? How may it condemn us of an unac-"countable negligence, if, having received such noto-"rious Injuries, we shall seek no Redress? It is not to "be supposed but a Parliament which calls it self *Chri-*

" *stian*, will shew at least, that they are so much *Men* as
" to pity our Case when it is represented to them. But
" if they will not, if they shall take no notice of such
" Oppressions, if the worst shall happen, if they shall
" make such an Act as is now before them: 'tis no great
" loss to lose the pains of drawing a Petition: One
" effect it cannot miss to have, which will easily coun-
" terballance all that Expence: It will put a Thorn in
" their Foot, and be a Witness against them, and ren-
" der them inexcusable before the World, if they make
" such an Act concerning us. Having reasoned with
" themselves after this manner, I say, upon *Saturday* the
" 24th *of May* some of them met, and resolved upon this
" Form, which because it contains the true State of
" their Case in few words: I will here thanscribe as
" followeth.

Unto

Unto His Grace Their Majesties Commissioner, and the Honourable Estates of Parliament.

The Petition of the *Ministers* who were thrust from their Churches by force and violence in *December* 1688. or at any time thereafter, before the 11th. day of *April* 1689.

Humbly Sheweth,

WHEREAS your Petitioners, (though they entered to their Offices and Benefices, at their respective Churches according to Law, and were in uncontroverted Possession of them) were thrust from these their Offices and Cures, by notorious force and violence; cast out of their Dwellings, with their Families and Furniture, and threatned with Death, if they should offer to return to the exercise of their Ministry at their respective Churches.

Whereas your Petitioners, upon such violent Treatment, made Application to His present Majesty, then, His Highness the Prince of Orange, *(who, at the humble desire of divers Lords and Gentlemen of this Kingdom, had then taken upon him the Government and Administration of the Affairs of this Realm) by their humble Petition for Protection, of the date at* Glasgow *the* 22d. *of* January 1688. *presented to His Majesty by Dr.* Robert Scott *Minister at* Hamilton, *impowered by your Petitioners for that effect, as will appear from*

from his Commission of the same date; and upon that Application His Majesty did emit a Declaration, for keeping the Peace, &c. in the Kingdom of Scotland, *of the date at St.* James's *the* 6th. *day of* February 1685. *whereby he did expresly prohibit all Disturbance and Violence, upon the account of Religion, and Authorise all Protestants, to enjoy their several Opinions, and Forms of Worship, whether in Churches or Meeting-Houses, whether according to Law, or otherways, with the same freedom, and in the same manner, in which they did enjoy them in the month of* October *preceeding, as the said Declaration at more length bears: Whereby it is evident that His Majesty and His Councellours and Adviser's for* Scottish *Affairs, at that time, were clearly convinced of the violent wrongs your Petitioners had met with, and of the irregularity and illegality thereof.*

Whereas, notwithstanding the said Declaration the Persecution of your Petitioners continued as hot as ever; as is evident from a second Tumult at Glasgow *upon the* 17th. *day of* February, *and year abovesaid, being the Lord's day, on which both Minister and Hearers (having assembled for Divine Worship according to Law, and upon the protection and security, contained in the said Declaration) were most violently assaulted by an enraged Multitude, in the High Church of that City; and a great many other instances which may be easily adduced; and a Representation of that Tumult in* Glasgow, *and a second Application for Protection, were made to His Majesty by Dr.* James Fall *Principal of the College of* Glasgow: *And His Majesty referred the matter to the meeting of Estates, indicted by him to sit at* Edenburgh *the* 14th. *of* March, *and year aforesaid.*

Whereas the said Meeting of Estates, did not think it convenient, in that interim, by their Authority, to Repossess your Petitioners of their just, legal, and undoubted Rights, as appears from their Proclamation, of the date at Edenburgh *the*

the 13th. *day of* April 1689. *So that your Petitioners, wanting Protection, durst never since, without the manifest peril of their Lives, adventure to return to the exercise of their Ministry at their respective Churches.*

Whereas your Petitioners (beside the unspeakable grief it is to them to be thus restrain'd from the exercise of their Sacrid Function) are generally reduced to great Necessities, and many of them with numerous Families, are at the point of starving, having no Livelihood but their Stipends, and being refused Payment of these, by the Debiors thereof, upon pretence of an Act of Council dated December *the* 24th. 1689. *whereby Intimation is made to all Judges, that the Case of the Ministers, who are not in the Actual Exercise of their Ministerial Function the* 13th. *of* April 1689. *lyeth under the Consideration of Parliament, and they are required in Executing of Sentences already recovered, and in Judging of Processes to be intented at the Instance of such Ministers to behave themselves as they will be answerable, which Act not only the Debiors of your Petitioners Stipends pretend for not Paying the same, as said is, but also many inferiour Judges do so construct, that they will grant no Decrees in favours of your Petitioners. And,*

Whereas by the Laws of this Realm, your Petitioners (being Ministers of the Gospel of Christ, and having entered legally to their Offices and Benefices, as said is) have right to Protection in the Exercise of their Ministry, at their respective Churches, and to their Benefices, ad vitam vel culpam, *and can neither be deprived of either without a legal Sentence; And now your Grace and the Estates are met in Parliament, to which, the Case of your Petitioners is referred by the aforesaid Act of Privy Council.*

May it therefore Please your Grace and the Honourable Estates of Parliament to take the Premises under Consideration

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tion, and interpose your Authority, for restoring your Petitioners to the exercise of their Ministry at their respective Churches; for causing make Payment of the Stipends that are due to them by Law; and for protecting them both in their Offices and Benefices, according to Law.

The Framers of this Petition made it their work to put it in as smooth and modest a dress as they could; that it might not be condemned of *Superciliousness* and *Arrogancy*, as that had been which was presented the day before. As for the Form, one of these who were concerned produced *King Charles the first* His *large Declaration*, and therein turned to the *Petition* which was given by the Presbyterians *Anno* 1638. to the Presbytery of *Edenburgh*, against the Bishops; affirming it would be best to imitate that Pattern as near as could be; For so, the Presbyterians in the Parliament could not find fault with it, without casting dirt upon their own Predecessors. The Fancy was relished by the rest; and this was the true reason, why there were so many *Whereas's* in it.

Having thus formed their Petition, Their next work was to wait upon the Commissioner and shew him a Copy of it: But that Night they could not have access; it was a Post-night, and his Grace was busie writing Letters: So they returned on *Monday* morning, and were at last, admitted into his Grace's presence, where one of them in very few words told him; "They were of the number "of these Ministers, who had been thrust from their "Churches by force and violence before the 13*th.* of *April* "1689. That they were informed, that the Parliament "had now their Case under consideration; That there-"fore, They had formed a Petition, which they were to "Present to the Parliament, and so, were come to acquaint "his Grace with it, and give him a Copy of it, that he "might thereby understand the true state of their Case;

and

and with these last words he offered his Grace a Copy of the Petition: He received it; and after a little pause, He asked this Question: "What? Are ye the Gentlemen "who gave in the Petition to the Parliament on *Friday*? The Person to whom he directed this Question, understanding very well what he meant by it (*viz.* That his Grace had a mind to be at them, for their Arrogancy, if they had been the men) replyed instantly, "They were not: And then deduced their Case, over again, briefly: Then was there another pause, his Grace still holding the Petition in his hand, without ever offering to read it: At last, he broke his Silence, with this very Christian Sentence; "(had he been Ingenuous in it) *Gentlemen, I* "*can say no more, but that I am for doing just and righteous* "*things to all men.* To which it was forthwith replyed; That they sought nothing but Justice; give them that, and they were satisfied; and with that they left him.

The next thing to be done was to search out some Member of Parliament who might do them the favour of presenting the Petition to the House: At last they found Sir *Patrick Scott* of *Ancrum*, a discreet Gentleman who undertook it: For you must know, it was not every body that had Courage for such an imployment, as matters then went. Well,

On *Monday* the 26*th.* of *May*, there was no opportunity for it: The reading the *Westminster Confession* (as I have said) wearied the whole House; so, that Article about the Rabbled Clergy was not considered till the *last and great day* Wednesday *the* 28th. *of* May: The day on which the whole Act was voted; but before I come to the work of that day, I must give you an Account of some Skirmishings had been concerning it, on *Friday* the 23*d.* For,

The Duke of *Hamilton* obtained no less than three Amendments in that Article, that day, which that you may the better understand, I will set down the Article,

as it was prepared by the Committee; and then tell you briefly upon what Reasons the Amendments were made. The Article, as it was prepared by the Committee, ran thus: "And because many Conform Ministers either "have deserted, or are removed from their Churches, "preceeding the 13*th.* of *April* 1689. and ought not to be "reponed; and others were deprived for not giving "Obedience to the Act of the Estates of the said 13*th.* of "*April* 1689. *Therefore* Their Majesties with Advice and "Consent foresaid, do hereby Declare all the Churches, "either deserted, or from which the Conform Ministers "were removed or deprived, as said is, to be vacant; and "that the Presbyterian Ministers, Exercising within any of "these Parishes, or where the last Incumbent is dead, shall "continue their Possession, and have Right to the legal "Benefices and Stipends forth and from the time of their "entering, and in time coming, ay and while the Church "as now Established take further course therewith.

In the Article thus digested, you see that 'tis said, That Conform Ministers who had *Deserted*, (which none had) or were *removed* from their Churches, *ought not to be reponed.*

The Duke was not pleased with this Clause: And pleaded, That it was not only needless, (as 'tis evident it was) but also that by necessary consequence, it would infer, that these who had been *removed*, (*alias Rabbled*, for in this case, these are truly equivalent *terms*) since the 13*th.* of *April*, *ought not to be reponed* neither: For if their being thus *removed*, was a sufficient Reason, in one case, why they *ought not to be reponed*; why not in all? Which Reasoning prevailed, and so that Clause was left out.

Another Amendment was: You see, by the Article as it was prepared by the Committee, The Presbyterian Ministers, simply, upon their Exercising in such a Parish, should have the Benefice, which the *Duke* excepted against, "And said that many Presbyterian Ministers had "exercised

"exercised their Ministry in several Parishes, and Possessed "themselves of the Churches from which the Conform "Ministers had been forced, who had neither Presentation, "nor Call from the greater or better part of the Parish: "And what Title could such Men have to the Benefice? This was pungent also; and so this Clause was added as you see it in the Printed Act; *Exercising their Ministry by the desire, or consent of the People.*

The *Third* was this; in the Article, as prepared by the Committee, The Presbyterian Ministers were to have the Benefices forth and from the time of their *entering* without specifying any definite term or year from which that *entering* might be dated: The *Duke* said "This was very "strange; for many Presbyterian Ministers had exercised "their Ministry in several Parishes, even since King *James's* "*Toleration*; which was in the year 1687. So that this "Clause gave them Title, even since that year, though "both in that year, and the next, there was a legal In-"cumbent in the actual and uninterrupted exercise of his "Ministry in the Parish: What Iniquity was this? Hereupon the time of their entering was limited to the year 1689. as now you have it. I have represented these things, that you may see, as severe as the Act is, how much more so it had been, if the Committee's draught had passed; or, if the Duke of *Hamilton* had not been at very much pains.

Besides these Amendments in this Article procured by his Grace, on that 23*d.* of *May*, there was another thing proposed by the Laird of *Kellburn* one of the Commissioners (I think) for the Shire of *Bute*; it was, that such Ministers as had not had free access to their Churches, and by consequence could not give Obedience to the Proclamation of the Estates *April* the 13*th.* upon the days appointed, but were willing to obey, when they should have opportunity, might be excepted out of the number of these whom the Parliament was to declare deprived,

and their Churches vacant: But that was rejected with scorn.

Come we now to our *Wednesday* on which the great Point in the Article was debated, *viz. Whether the Deed of the Rabble should be justified, and all these Ministers who had been driven from their Churches by the Rabble should be deprived.*

The Duke of *Hamilton* Pleaded earnestly that this Article might not pass.

"It was wonderful to call these Men Deserters: For "was it not notorious all the Kingdom over, that they "were violently forced from their Churches by Tumult "and Rabble, and could not, without the evident peril "of their Lives, continue in the exercise of their Mini-"stry at their respective Churches? It was as wonder-"ful, to declare their Churches vacant, because of their "being *removed* from them: For what would be the sense "of the word *removed* in the present Case? Was it not "plain, that it was just neither more nor less than *Rab-"bled?* And what might the World think of the Justice "of the Parliament, if it should sustain that as a sufficient "ground, for declaring their Churches vacant? These "Men had entered to their Churches according to Law; "how then could they be deprived without a legal Tryal? "What evil had they done? They had never had op-"portunity to disobey the Government: They were "violently thrust from their Churches by the Rabble be-"fore the 13*th.* of *April* 1689. So, it was impossible for "them to obey the Authority of the meeting of the E-"states, in that days Proclamation: Nay consider that "Proclamation, and it will be found that it did not bind "them. Were they chargeable with any other Crimes, "or Scandals? Why then, let them be first Tryed, and "Convict, and then deprived by due Course: Was it "ever heard, that Ministers of the Gospel of Christ were "turned out of their Offices and Livings, without the

"least

"least Guilt fixed on them? what a reflection would it "cast upon the King, if such an Act should be made? "Did not he come to these Kingdoms, to deliver us from "Arbitrary Power? To secure Liberty, and Property, "as well as Religion? But how was it consistent with "this, to deprive so many Protestant Ministers of their "Churches and Livings, for no imaginable Reason in "Law, or Equity? Besides, when first the Government "of this Kingdom was transferred on His Majesty, did he "not receive these Men into his Protection, by his De-"claration dated *February* the *6th.* 1685. But how was "it consistent with the common Protection due to Subjects, "to deprive them of their undoubted Rights so very "Arbitrarily.

These and many other such unanswerable Arguments did his Grace insist on. Neither did any *one* Man so much as *once* offer at shewing how such a thing could consist with Law, Justice or Reason.

While the *Duke* was thus Pleading, Sir *Patrick Scott* Presented the Petition, and craved it might be read: He was assisted by the *Duke*, who prest it very warmly: And then there was no little stir in the House: For such as were resolved to *Vote* the Petitioners out of their Rights, knew very well, if it should be read, they were not able to render a solid Reason, why what it craved should not be granted; and therefore they had no inclination, that the House should hear it: But then it was as difficult to find a colour of Reason why it should not be read. *Crawford* said, "It could not be read in the midst "of the Act; *a wise Tale indeed*; for when was it proper to read it, if not, when the Case it concerned was under consideration? *Cardross* said, "He did not know "but all these Men were Enemies to the Government; "and why then should the House be troubled with their "Petitions? But he knew as little, but they were all Friends to the Government; for (as hath been said) they

had

had never had opportunity to shew how they were affected to it. At last, after a great deal of such impertinent stuff, Sir *Patrick Hume*, now Lord *Polwart*, "Moved, "that the House might first go on in the Act, and after "that was voted, they might hear the Petition. *A judicious Overture, to shut the Stable door (as we say) when the Steed is stollen:* For the great purpose of the Petition was, that no such thing might be voted. However this motion, because, it seems they could stumble on none better, was greedily entertained by the Party; And so it was carried, that the reading of the Petition should be delay'd till the Article was first voted: Which, what was it else, but downright to reject it without an hearing?

Then the Duke of *Hamilton* was at the point again, and renewed his endeavours, but to no purpose: For the Cry immediately arose, "That there was no need "of further Debate, in the Case; it had been "Disputed enough already, put it to a *Vote*, &c. So there was no help for it: The *Vote* came to be stated. The Duke of *Hamilton* craved it might be stated thus. *Approve, or not approve, the Deed of the Rabble*; and this twice or thrice over he pressed: But though that was the true state of the Case, it was too bare faced; And therefore it was put in these smoother Terms, *Approve, or not approve the Article.* I need not tell you which carried; you may see that by the Act; How Almighty is a *Vote!* what can it not do? Yet I must acknowledge, there were some *Fifteen* or *Sixteen* Negative Voices, and which is remarkable, some of these, by Persons who in the hight of their Zeal, the year before, had been amongst the most forward, for refusing these poor Men the Protection of the Government; such as the Lord *Ross*, Sir *James Montgomery*, &c.

After this Article was thus *Voted* and *Approved*, The Duke of *Hamilton*, not able to bridle his Indignation,

"Told

" told the House plainly, he was sorry he should ever have " sat in a Scottish Parliament, where such naked Iniquity " was established into a Law; That it was impossible " Presbyterian Government could stand, being built on " such a Foundation, and it grieved him to the Heart, to " consider what a Reflection this Act would bring upon " the Government, and Justice of the Nation. While the *Duke* was thus insisting, a certain Member stood up, and said, " The *Duke* would do wisely to temper his Language; " For, what was this, but to reflect on the House, and " flee in the face of an Act of Parliament? The *Duke* instantly replied, " It was a mistake, it was but a *Vote* " of the House, and had not yet got the Royal Assent, " so it was no Act of Parliament: But seeing matters " went so, though he was very much afraid the Reflection " would go further than the House were aware of, for his " part he should say no more, but put his Hand upon his " Mouth: And with this he left his Seat; and went out of the House, a good number of Members folowing him. Well,

What was my Lord *Melvil*'s behaviour all this while? Why, His Grace sat upon the Throne, heard all that the *Duke* of *Hamilton* had said for the Rabled Clergy, and all that passed concerning their Petition, and yet never so much as once opened his Mouth in the Matter; but perhaps Prelatical People are not Men; and though they were, is not Dominion founded upon Grace? And so what pretensions can Conformists make that Justice should be done them? But enough of this.

There was now only one thing more to be done, and that was to Vote the whole Act *in cumulo*, which before had only been voted by parcels. This was immediately proposed upon the *Dukes* departure. Now it must not be forgotten, that as soon as this began to be talk'd of, a Little Presbyterian Preacher who had got into the House, cried out to the Members who were next him, ' *Fie!*

' *make*

'*make haste, dispatch, now that He is gone, lest he return* '*again, and create more trouble.* This He meant of the *Duke.* Whether it was in obedience to this *seasonable warning*, or not, 'tis no great matter; but so it was, that instantly the thing was done; The whole Act was Approved, and so prepared for the Royal Assent. And indeed it was no wonder, considering what Members were in the House, even few or none who were not frank for the *Good Old Cause*, except some four or five who stayed to Vote against Presbyterian Government, that it might not be said, that it carried *Nemine contradicente*, and some few others who would not Vote for that Establishment of *Presbytery*; because as they pretended, it was not Established in its proper *plentitude of Power and Independency*: Except such, I say, there were none in the House, but those of the *Gang*; For a great many Noblemen and Gentlemen; Such as the *Duke of Queensberry*, the *Earls Linlithgow and Balcarras*, &c. would not be present on that occasion. And, as I have said the *Duke of Hamilton*, and a Good many Members had left the House before that *Great Vote* was moved.

Thus was this Act prepared for the Royal Assent on *Wednesday* the 28th of *May*; but it got it not till the 7th of *June*: For that same Night that it was Voted, an Express was sent to the King to give him an Account what was done, and his Majesties answer and allowance was necessary, before the Act could be touched. And now that I have mentioned his Majesties granting his Allowance to his Commissioner to touch the Act, and give it the form of a Law; I cannot forbear to tell you, that I am fully persuaded, he did not get a just and impartial Information about the nature of the several Articles in it: which had he got, it was impossible that he should ever have approved or ratified the Act: For why? That Article concerning the Rabled Ministers is plainly inconsistent with the express words of the *Coronation Oath.* Now who

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can believe that the King would have consented to such notorious Oppression, as more than *three hundred* Protestant Ministers met with him from this Act, if that matter had been duly represented to him? But I cannot find what can be said for my Lord *Melvil*, who knowing very well the whole matter, abused his Master by not fairly representing it to him.

Thus I have given you a brief account how this Act was made. I shall make no more reflections on it, knowing very well, how the Writers of former accounts of this nature, have been lash'd for making so bold with the Government, and intituling it to the Persecution of the Clergy. For my part I shall leave it to you Sir, or any to whom you shall communicate this Paper, first, to consider matter of Fact, which I have plainly and freely told you, and then to make your own Reflections. And so I come to the

Third thing which I promised concerning this Act, which was to tell you, what Consequences it produced: And, that which deserves to be put in the front was, The *Pious Gratitude* of the Presbyterian Ministers to the Parliament, for making so *gracious an Act*: How they thanked the *Commissioner*, and *Crawford*, and *Sutherland* and such others of their good Friends, in private, I am not able to tell: But in their Sermons, they were extremely careful to express a deep sense of the wonderful Favour was done them. I shall only take notice of two, that were published, *viz.* Mr. *Gilbert Rule*'s, and Mr. *David Williamson*'s.

Mr. *Gilbert*'s Sermon, as I told you was preached before the Act was voted, and therefore he was at the pains to Embelish it with a Preface to the Reader, when it was a printing, wherein he Harangues *Thus*, *As the Interest of Religion was our Solicitude when these thoughts were conceived and delivered; So now we are filled with joy, while we behold the Religious Regard, which the High and Honourable Court of Parliament have shewed to the Mountain of the Lords House above other Mountains (which they truly are*

 and

and ought to be concerned about) in the Great Step towards the establishing thereof, that they made by their Vote of the 28th instant. And then he concludes, *That the Lord may help them to go on as they have begun and hitherto acted, and reward them for their Good Deeds towards his House ——— is the earnest Prayer of*, &c. But was *worthy Mr. David* inferiour to Him? That's not to be thought: neither indeed was He; for Thus he bespeaks them in His Sermon preached *June* 15. which I cited before, *Honourable Worthies, I incline not by Panegyricks to offend your modest Ears, whose Praise will be in the Church: But we bless God, we have such a King and Queen to Rule over us, and such a Representative of their Majesties in this Honourable Court, and so many Noble and worthy Patriots in this Assembly, who befriend the Interest of our Lord: We bless the Lord, and we bless you from the Lord with our Hearts, for what you have done for the House of the Lord*, &c. I believe He never Complemented *Lady* more Zealously. Thus these two Eminent Lights. And it is not to be doubted but the rest were as forward: But to this very hour, I never so much as heard of one of them, who either publickly or privately condemned that Article concerning the *Rabbled Ministers*: And now, when I think on it, who can blame a Commissioner, or a Parliament for making such an Act, when they were thus not only Authorized and justified, but prais'd and magnified by such Infallible Casuists? And indeed laying aside all Notions of Right and Wrong, and Heaven and Hell, and Judgment. The Brethren had all the Reason in the World to be thus thankful. For,

Not only were they secured of all these Benefices, where they had set up at their own hands, after the *Rabbling Trade* begun, for the year 1689; which they had still in their prospect; And in order to which, that Act of Council dated *December* 24. 1689. whereof I have spoken sufficiently already, was made; But they had also another fair

Oppor-

Opportunity of gaining considerably by it: For they had not so many Preachers of their *Gang* as filled the half of these Churches, from which the Conformists had been forced; so that there were some Hundreds of Vacancies, whereby they had an Excellent occasion to petition the the Council for the vacant Benefices to make up their pretended losses: This was a *Blessed Providence*, and with them it had been to *resist a divine Call*, to have neglected it: And therefore it was their great Business in the Months of *August*, *September and October*, &c. to make Hay while the Sun shined, that is, to petition the Council for vacant Stipends: Thus Mr. *William Veitch* had been a Great sufferer, for why? He had been *forced* to appear actually in Rebellion against K. *Charles* II. at *Pitland Hills*, for which he was not Hang'd indeed, but declared *Rebel and Fugitive*: But now that the Fields were fair, and he had endured so much undeserved Persecution, would He not have been to blame, if he had not studied his own Interest? And therefore he petitioned for no less than *Five Vacancies*, viz. *Creiland*, *Eckford*, *Tettam*, *Marbottle*, *and Oxnam*. 'Tis true, the Council were so hard-Hearted as to grant him only *Three* of them, *viz. Creiland*, *Eckford*, and *Tettam*: This was hard enough: but alas (tho he had confidently affirmed in his Petition the contrary,) it was afterwards found that the Minister of *Creiland* had not been deprived before *Michaelmas* 1689. So that Mr. *Veitch* could not get that Benefice, which was certainly a very *disappointing Persecution* to him. No doubt you have heard of this Mr. *Veitch* before, for he is the same who had the *inward Call* to be Minister at *Peebles*, (because the Benefice was far better) rather than at several other places, where he was far more earnestly desired. Thus also,

One Mr. *John Dickson*, who had sometime preached at *Rutherglen*, (but as I am told was never admitted to the Ministery there) before the Restitution of Episcopacy 1662. petitioned not only for that, but other Four Benefices:

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And a great many more I could instance if my design and brevity would allow me. In short, if they had preached but one or two Sermons in a Parish casually, or upon an Invitation from one or two of the Parishioners in a whole years time, it was sure to be put into the Bosom of the Petition, that they had served the Cure in such a Parish; and that was enough. Thus did that Act of Parliament caress the *Presbyterians*: While in the mean time it behoved the poor deprived Rabbled Clergy, who had an undoubted Title in all Justice and Equity, patiently to endure want, and see their Estates disposed of to other People, without daring to say, that any wrong was done them. Until at last the *Duke of Hamilton* and some other Councillors, who were not entirely of the fashionable Metal, began to encourage some of them to petition the Council, and promised them their assistance: And so indeed, some of them got *Gifts* of their *own* Benefices. But then two or three things are observable: For 1. If there was a Presbyterian Preacher who pretended to have exercised his Ministery in such or such a Parish; it was in vain for the Rabbled Man to petition for it; The *Case* was *clear*; it belong'd to the *Presbyterian* by the Act of Parliament; So that there was no place for any Man to petition for his own Benefice, but where no *Presbyterian* could pretend that he had served in that Parish. 2. Whoever petitioned, was carefully to forbear pleading any thing like *Right* or *Title*, for that was downright to flee in the face of the Act of Parliament; which *Crawford*, who was seldom or never absent from the Council Board, was sure to entertain with very terrible Resentments. 3. If the *Duke* of *Hamilton* was absent, it was folly to Petition, for it was sure to be rejected. Nay, sometimes when he was present, yet if two or three of those who used to Vote with him, were not at the Board, it was extremely dangerous to venture; for if a Petition was once rejected, it was hard to get it considered a second time: for then *Crawford* was furnish-

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ed with a pitiy Argument against it. Once, indeed (for I must do him Justice) I heard his Lordship was forward to grant a Conformist's Petition, so very forward, that he was clear it should be granted before it was read: But there was a Singularity in the Case, which (when you understand) perhaps you will not be much surpriz'd at this his Lordships forwardness, even though there was a Presbyterian Minister concerned: For alas! The Man, weary of his Wife, had fallen into the sin of Adultery with another Woman; And his Lordship was mightily afraid lest this should have been mentioned in the Petition, or by some ill natur'd Person at the Council-Table, who knew the Story, if his Lordship had made any bustle about it, as he used to do on other occasions, which he had no mind for. This was the Reason of his frankness in the matter. But, Besides my *Lord Crawford*, there were some other Councillors, who sometime did obstruct the reading of Petitions, perhaps on more odious Grounds than his Lordship: For example, I could name a certain Privy Councillor, who for several days hindered a certain Rabbled Minister's Petition to be read, until the poor Man was forced to come to him, and offer to quit him some *Twelve* or *Thirteen* pounds Sterling, which he was obliged to pay of the Benefice: And then his Lordship appeared for him indeed, and obtain'd both the reading and granting of his Petition. Had he been as poor as my Lord *Crawford*, perhaps he had been the more excusable; but he is a Man of a good Estate, which makes the Trick the baser. However, I will not name him at present.

From what I have said, you may competently understand the whole matter of the petitioning, which was some while on foot, and of which perhaps you have heard. I cannot deny but many were the better for it: But they owe all the Thanks to the *Duke of Hamilton*; and some other Councillors, but none to the Parliament. And yet, for all this, perhaps it were possible to give you as many instances

stances of Petitions that were rejected, if not more than were granted: But I will only insist on one Man's Case, whereby you will clearly and distinctly perceive, in what sense both the *Council*, and *Session* (the two Chief Judicatories in in the Nation) understood our Act of Parliament: Which to represent in its true Colours, is the Chief aim of this part of this Letter. The Case shall be that of one Mr. *Robert Skeen*.

This Gentleman had entered to his Church at *Dunsyre*, within the Shire of *Lanrick*, according to Law; and served there in the Holy Ministry, faithfully and painfully for a good many years; a Man of very good Abilities and unblameable in his Life.

In the year 1684. a Circuit Court was kept in these parts, for executing the Laws against Nonconformists; and so one Mr. *Anthony Murray* an old Presbyterian Minister, who had been still connived at before; because he would not *then* conform, was deprived of the Church and Benefice of *Coulter*.

This Mr. *Murray* had a little Estate in the Parish of *Dunsyre*, where Mr. *Skeen* was Minister: Thither he retired after his Deprivation, and lived quietly, without making any disturbance to Mr. *Skeen*, or keeping any Conventicles, till the year 1687. That K. *James* granted his fatal Toleration. But then, with the Advice of his Brethren of the *Gang*, who had resolved in their *Clubs* to carry on a Schism in the Church: He began to set up again, not in his old Parish of *Coulter*, to which one would think he should rather have returned; But in the Parish of *Dunsyre*, and endeavoured to draw the People after him. And truest is, some of the meaner sort he got; But Mr. *Skeen* still kept the Church, and the better part of the Parish adhered to him till *April* 1689. that he was turn'd out by the Rabble; or rather till after *Whitsunday*, as you shall hear instantly. thus forced away, *Murray* continued to preach a *Skeen* after he was gone: And therefore, after this our while

Act

Act of Parliament passed in *June* 1690. he resolved to take the benefit of it, and so Petitioned the Council for the Benefice of *Dunsyre* for both years 1689. and 1690. and obtained his request without difficulty: *Skeen* in the mean time knowing nothing of it.

One would think that this was even but *Course Justice*; for Granting the Act of Parliament Declaring all their Churches vacant, who had been Rabbled before the 13*th.* of *April* 1689. had been never so *Just and Righteous*, yet how did it appear to their Lordships that *Skeen* was Rabbled before that day? Was it enough that they had *Murray*'s word for it in his Petition? Ought not *Skeen* to have had notice to appear for his Interest? But let that pass with the rest.

Mr. *Skeen* is a very poor man, and no wonder, considering, that he had no Patrimony of his own, his Benefice was but small, and his Family was numerous. And so it was as little wonderful if he was surprized when he heard the unwelcome Tydings of Mr. *Murray*'s having got a Gift of his Benefice for these two years: But how to right himself was the Question. He knew very well already in what sense the *Council* understood the Act of Parliament; but the *Session* had never yet had occasion to give their sense of it: So he resolves to try his Title before their Lordships, and accordingly charges those who were lyable in Payment of the Stipend, for the whole year 1689. and the half of 1690. to make Payment to him. This was done about the middle of *January* 1691.

It is not to be doubted but *Murray* would soon get notice of this Charge; so he makes his Address to some of the Lords of the *Session*, and obtains *Letters of Suspension* against *Skeen*, till the Case should be debated before their Lordships. And so the Case came to be fairly stated, before that Judicature. Sir *David Thoris* was Advocate for *Skeen*, and *James Stuart* for *Murray*: For whose Title he produced these three Arguments. 1. *Murray* had an Act of

of Council for him, so that it was *res hactenus Judicata*. 2. *Skeen* had *Deserted* and was *removed* from his Church before the 13*th.* of *April*, and so was deprived by the Act of Parliament. 3. *Murray* had officiated, as a Presbyterian Minister in the Parish of *Dunsyre*, during these years for which he had got his Gift. To these Arguments, Sir *David Thorez* gave these following Answers: To the first: That *Skeen* had legally entered to the Church of *Dunsyre*, and had a good and undoubted Title and Right, which ought in all Law and Reason to be preferred to *Murray*'s Gift, especially considering that it had been obtained Clancularly, & *parte inauditâ altera*. To the second, That *Skeen* had not Deserted, but was *Barbarously forced* from his Church by Notorious Rabble and Violence as was Evident from this Deduction.

1. About *Candlemas*, first, and then several times after, in the month of *February* and *March* 1684. a Godless Rabble which was then overrunning the Country, and thrusting out the Regular Clergy where ever they came, sent to him peremptory Orders to remove from his Church, and desist from the exercise of his Ministery, under no less hazard than tearing him in pieces; notwithstanding which he still continued in the exercise of his Office.

2. The Rabble finding those their Menaces unsuccessful, no fewer than *sixty* of them, all Armed, under the Command of one *Steel*, came to his dwelling House upon the 21*st.* of *March*, and committed such Outrages, that they frighted the poor Gentlewoman his Wife, then big with Child, into her pangs, before the time; in which she continued till the *first of April*, that she brought forth her Child, dying her self within three hours after the Birth, and leaving him the weighty burthen of Eight Motherless Children; Yet neither for this did he forbear to exercise his Minstry in the Church of *Dunsyre*; until,

3. Upon the 13*th.* of *April* (the same day that the Proclamation was ordered by the Estates) another Barbarou-

rous, and numerous Rabble came to his House, and threatned to Murther him, if he should offer to possess the Pulpit the next day which was *Sunday*; and then indeed for fear of his Life, he went not to the Church; yet he Preached in his dwelling House to such of his Parishioners as came to hear him.

4. The Proclamation being ordered to be read by him upon *Sunday* the 21*st.* of *April*, the Rabble returned upon *Saturday* the 20*th.* and by violence barricado'd the Church doors, and carried away the Keys, and such Utensils as they could find, belonging to the Church, and not only so, but on *Sunday* morning they planted Guards of Armed Men, at the doors of the Church, by which they kept him out by force; yet even that day too he Preached in his dwelling House: Nay,

5. He continued still to Preach in his dwelling House on *Sundays*, and to Baptize Children, and Visit the Sick, and perform all other parts of his Ministry as he had occasion; till after *Whitsunday*, that another Rabble came, and most outragiously and inhumanely cast him, his Family, and all his Furniture, out of doors; so that he was then forced to retire elsewhere for shelter.

All these things were offered to be proved Positively and Evidently by many Famous and Unquestionable Witnesses; and so the Lords were desired for these Reasons, to give their Judgment upon this Point: "Whether *Skeen* having thus continued in the exercise of his "Ministry, in the Church, and Parish of *Dunsyre*, notwithstanding so much Barbarous Usage and so many "forcible Interruptions and Oppositions, could, in Law, "Reason, or common Sense, be reputed a *Deserter* of "his Charge before the 13*th.* of *April.*

To Mr. *Stuart's* 3*d.* Argument, it was Answered *first* that granting it had been true that *Murray* had officiated as a Presbyterian Minister, in the Parish of *Dunsyre*, yet he could plead no Title to the Benefice, because he had

 neither

neither been Presented, Collated, nor Orderly Instituted and Admitted to be Pastor of that Parish; all which were necessary to Constitute a Legal Right: Nay he could not pretend to so much as a Call from either the greater or better part of the People; so that he ought to be look'd upon as an *Intruder*, who had forced himself upon another Mans Charge, against Law, and in a Schismatical manner. But then *Secondly*, It was not true, that he had officiated as a Presbyterian Minister, but on the contrary, it was offered to be proved, that he had refused to Preach, and did forbid the People to come to him, nay that he had refused to Baptize the Children of his next Neighbours, in case of extreme necessity, in so much, that the Presbyterian Party in the Parish had actually called one Mr. *Donaldson* another Presbyterian Preacher, to supply their necessities. *Thirdly*, *Murray* was Reponed by Act of Parliament of the date *April* the 25*th*. 1690. to his Church at *Coulter*, had actually got the Benefice there for the year 1689, and was to get it for 1690. why then should he have the Benefice of *Dunsyre* for these years too? What Title could he plead for both Benefices? And then *Fourthly*, It was pleaded, that of all Men in the World, *Murray* was *in pessimo dolo* to be *Skeen's* Competitor for the Benefice of *Dunsyre*, because, as *Skeen* offered to prove, and make as Evident as Light, (and indeed he was able to have done it by a sufficient number of Witnesses), *Murray* had not only never endeavoured to quiet the Rabble, which he could easily have done, had he applyed himself to it, notwithstanding *Skeen* several times demanded it of him; but on the contrary, he had openly and avowedly sent to *Skeen* and threatned him if he did not desist from the exercise of his Ministry, saying, he could not be answerable for what he had done already, and he should smart severely for it, *&c.* So that *Murray* ought truly and in Law to be reputed one of *Skeen's Rabblers*.

For

For all which Reasons, and in respect, that the Stipend for which *Skeen* had Charged (besides that it belong'd to him incontrovertibly in Law and Justice) was all the Reparation and *Assithment*, he expected for the *Murther* of his Wife, and the Violences and Outrages done to himself and his Children: The Lords were desired to prefer him to *Murray*: But nothing could prevail, for the Sentence was *This* word for word.

Edinburgh 26*th*. *of* February 1691.

Upon Report of the Lord Anstruther, *The Lords find, that, seeing Mr.* Robert Skeen, *was not exercising the Ministry in the Kirk of* Dunsyre, *upon the* 13th *of* April 1689. *the Church was vacant by the Act of Parliament; And therefore prefere Mr.* Anthony Murray.

Sic subscribitur, Stair I. P. D.

Here *Sir* you have the Lords of *Session* giving their Sense of the Act of Parliament with a witness. But I must beg their Lordships Permission to tell them plainly, that many judicious People think, their Lordships did even stretch the Act of Parliament, which I am sure was needless, in all Conscience: They stretch'd the Act of Parliament, I say, for *Skeen* did actually exercise his Ministry in the Church of *Dunsyre* upon the 7*th*. of *April*, which was the *Sunday* immediately before that 13*th*. of *April*, so that he ought to have been reputed in possession of his Church till the end of the week, for he was not obliged to be in it till next *Sunday* unless it was upon some extraordinary occasion, which is not pretended to have happened that week. In effect when this their Lordships Sentence is considered it amounts to just neither more

nor less than this. *Skeen* upon such a *Saturday* (for such was that 13*th.* of *April*) was not in the exercise of his Ministry, had not publick Worship and Sermon, and therefore the Act of Parliament declared his Church vacant: And is not this a probable Consequence? I could easily say a great deal more; but perhaps even what I have said is a Digression: Leave we therefore the *Session*, and let us accompany *Skeen* now to the *Council*.

His pinching Circumstances prompted him to make another Attempt, before he should quite give over, and that was, to Petition the Council that they would retract their Gift to *Murray*; and restore him to his Right: Or if they would not do that, That their Lordships would at least allow him the equivalent for the year 1689. out of some other vacancy. You may easily collect Reasons enough to recommend this Petition, from what I have already set down. *i. e.* The usage he had received from the Rabble; the death of his Wife; the numerousness of his Family; his Poverty; his continuing so long in the exercise of his Ministry after the 13*th.* of *April*; his never, to that hour, being under any Sentence, Civil, or Ecclesiastical; his never being heard for his Interest. *Murray*'s procuring that Gift surreptitiously, *&c.* and a great many more. All these he had in his Petition: But the Result was, the *Council* would neither recall their Gift to *Murray*, nor supply the poor mans needs from any other *Fund*; So that all this while, he has nothing but the Charity of good Christians to subsist by. Thus I have briefly hinted at such things, as may give you a sufficient tast of the consequences of our Act of Parliament that settled the Presbyterian Government.

'Tis now time for us to return to the Parliament house again, and see what more was done there concerning the Church or the Clergy. And that which comes next in order of time, was a draught of an Act which the Earl of

Linlithgow

Linlithgow gave into the Parliament, the next day after the Act establishing *Presbytery* was Voted: "The design of it "was to give *Toleration* to those of the Episcopal Persuasion "to worship God after their own manner, and particularly: "that whoso were inclined to use the English *Liturgy*, might "do it safely. Being presented by so considerable a Member, they could not refuse it a Reading: But it never got more; Indeed, I am apt to believe his Lordship, who presented it, did not expect that it should meet with better entertainment. However one thing was gain'd by it, even that it was rejected; and that the Party who had so thankfully embraced King *James's* Toleration before, now that they were mounted on the Sadle, refused to Tolerate any of a different Persuasion. This themselves were sensible of, and that it was a Thorn put into their Foot: But it was inconsistent with their Principles to grant it, and so that such a thing should have been moved, incensed them exceedingly; especially the Preachers, who for several days after, made it their work to declaim vehemently against all Tolerations; particularly worthy Mr. *David Williamson* in his famous Sermon, which I have cited already, was at it, with a great deal of warmth, and that oftner than once; For not only towards the end of his Sermon did he Harangue directly and copiously against it, calling it *A Backset to all that was done*, and *a Mystery of Iniquity*, &c. But even near the beginning, with more Zeal than Discretion; He made it an infallible mark of Infidelity in a Prince to grant Tolerations: Do not think I am injurious to him; you shall have his own words: *In respect of Religion, some (Princes) are Believers, as Joshua; some Infidels, and so are either such as persecute Religion, as Herod and Julian; or* Tolerate *it, as a* Trajan. Thus the Zealous Man, not considering, that *King William* had granted a Toleration in *England*. Nay so much was the Mans Teeth set on edg, that such a thing should have been once muttered in Parliament, that he was earnest in his Exhortations to the House,

House, That they would, if not *Hang*, at least *Banish* all the *Prelatists*. Thus he tells them, *It is not the wisdom of Magistrates to overlook dangerous Persons by Cruel Indulgence; one Achan spared, may endanger the whole Camp of Israel* (is not this as bad as Hanging?) *Traytors to Kirk and King would be duly noticed.* And again, *Persons of a dangerous Complexion, to undermine the State, would be incapacitated,* (and a Rope is the best way for that) *and put out of reach to hazard the Commonwealth: If he were a Churchman, an Abiathar, he might be sent to Anathoth.* This last *sling* I am apt to believe, was design'd against the *Archbishop of Glasgow*, for possibly Mr. *David* dreaded, he was upon the Plot of the *Toleration*. Stubborn Parliament, that would not provide Halters, or at least Prisons for all these Rogues, when such a godly Man advised them!

The next thing wherein the Church was concerned, was an Act which passed *July* 29. 1690. Abolishing Patronages, and setting up in their stead, What? Popular Elections, according to the *Presbyterian* Profession? Nothing less. What then? A new Model for Electing Ministers, for which it will be very hard to find a *Jus Divinum* in all the Scripture: "For now the Heritors and Elders are to "name and propose the Person for whom they incline, to "the whole Congregation, to be either approved, or dis-"approved by them; and if they disapprove, the Disap-"provers must give in their Reasons to the Effect the Af-"fair may be cognosced upon by the Presbytery of the "bounds, at whose judgment, and by whose determina-"tion, the Calling and Entring of a particular Minister, is "to be ordered and concluded, *&c.* I am not at present to debate the Reasonableness or Conveniency of this new Model: But it surpriz'd me at first, that the *Presbyterian* Preachers were so easily pleased with this, after their so warm and frequent Protestations for the *Jus Divinum* of the popular Elections. But this Surprize was soon over when

when I found that this Method in the result brought the whole *Power* as effectually into their Hands, and perhaps more easily, than popular Election could have done; and that was all they were aiming at: And here it is that the Divine Right of any thing, with them, doth commonly terminate. At least I am very far mistaken, if this is not all the Divine Right, that shall be found at the bottom of the most part of their glorious Pretences.

The next thing I am to take notice of concerns a Set of Men, whom, I know not if you will allow to be called in a State of Persecution, *viz.* Those who had been Deprived by the Committee of Estates and the Council, *Anno* 1689. for not Reading the Proclamation *against the owning the late King* James, *and not praying publickly for* William *and* Mary *as King and Queen of* Scotland. Some of these, though they had obeyed their Sentence so far, as not to exercise their Ministry in their own Churches, yet had adventured to preach in Neighbouring Churches: And for this they pretended they were only deprived of the exercise of their Ministry at such a Place: The *Council* though it had deprived them, had not unministered them; it was still lawful for them to preach the Gospel when they had occasion: And as they thought, they had but too much of that, considering how many Vacancies were made, and how few of these Churches were planted; so very few that in many Corners of the Country you should have found *six, eight, ten* Churches all empty in one Neighbourhood: Besides, as they still pretend, they preached nothing but the solid and substantial Points of *Christianity*, *Faith and Repentance*, &c. They did not meddle with Crowns and Scepters, and Government, but made it their work to persuade People to a sober, righteous and godly Life. However, this irritated the Government, or at least the *Presbyterian* Party in the Government exceedingly; and therefore upon the 22 of *July*, 1690. this Act was made about them.

The

THE Estates of Parliament taking into their Consideration, That several Ministers deprived for not praying publickly for King *William* and Queen *Mary* as King and Queen of this Realm, and not Reading the Proclamation of the Estates Emitted upon the 13th of *April* 1689. for that effect, are by their Sentence of Deprivation, expresly prohibited to exercise any part of their Ministerial Function, within the Parishes from which they were Deprived, do nevertheless, now far more perniciously and dangerously, diffuse the poison of their Disaffection, by taking the liberty to preach and pray at other Churches and elsewhere, where they neglect to pray for King *William* and Queen *Mary*, in manner enjoined by the said Proclamation, to the manifest Contempt of publick Authority, and the stirring up and fomenting the disaffection of the People to their Majesties and the present Government, and the encouragement of all their Enemies. Therefore our Sovereign Lord and Lady the King and Queen's Majesties with Advice and Consent of the said Estates of Parliament, do hereby prohibit and discharge the whole forelaid Ministers, deprived as said is, to preach or exercise any part of the Ministerial Function, either in Churches or elsewhere, upon any pretext whatsoever, until first they present themselves before the Lords of their Majesties secret Council, and there, in presence of the Lords thereof, take, swear, and subscribe the Oath of Allegiance, and also engage themselves under their Hands to pray for King *William* and Queen *Mary* as King and Queen of this Realm, and not to own, or acknowledge the late K. *James* the 7th for their King in any sort, conform to the Tenour of the said Proclamation: Certifying such Ministers as shall do in the contrary, That they shall be proceeded against, as Persons disaffected & Enemies to their Majesties Government, with all Rigour. And further, their Majesties, with advice and consent forelaid ordain the said Proclamation, and Act of the Estates of the Kingdom to be put to further Execution against all such Ministers, who have not as yet given Obedience thereto, by praying for their Majesties in manner forelaid; And that the Lords of their

Majesties

Majesties Privy Council, Sheriffs, or Magistrates, or Officers, to be the same, within their respective Boroughs, as they shall see cause.

Neither was this thought enough; for within a few days after, another Act was made against the Distinction of *De Jure*, and *De Facto*, and appointing a certain Declaration which they call the *Assurance* to be taken by every person in publick Employment; And amongst the rest, the Deprived Ministers; for it is an express Clause in the Act, That all shall take it, who are obliged by Law to Swear the Oath of Allegiance to their Majesties. I am now almost wearied, and therefore I cannot be at pains to Transcribe that Act of Parliament, but I am afraid you may be angry if you get not a Copy of the *Assurance*, and therefore take it as follows,

I A B, Do in the Sincerity of my Heart, Assent, Acknowledge and Declare, That their Majesties King *William* and Queen *Mary*, are the only lawful undoubted Soveraigns, King and Queen of *England*, as well de Jure, as de Facto, and in the exercise of the Government; And therefore I do sincerely and faithfully promise and engage, That I will with Heart and Hand, Life and Goods, maintain and defend their Majesties Title and Government, against the late King *James*, His Adherents, and all other Enemies, who either by open, or secret Attempts, shall disturb or disquiet their Majesties in the exercise thereof.

Thus the Parliament thought fit to secure their Majesties Government, by exploding that pitiful Distinction of *de Jure*, and *de Facto*, Rationally sure, and Consequentially:

still just for a Kingdom, where the Government is Constitutive, by Monarchical and Hereditary, such as *Scotland* is. Is it possible that one can be King *de facto*, if he be not first such *de jure*? An Usurper he may be, but can never be a King; a King in such a Constitution being necessarily *Nomen Juris*. But to let this pass, because it is no part of my present Concern: Were not our Non-Complyers, our Non-Readers, and Non-Prayers, our Clergymen who were deprived *Anno* 1689, pretty well taken notice of by these two Acts of Parliament? I believe you will not readily imagine that many of them would incline to qualifie themselves according to these Laws, for the further exercise of their Ministry: Neither indeed (so far as I can learn) has one of them done it in all the Kingdom. They were forced therefore to chuse the other side of the Alternative, and cease from the publick Exercise of their Ministry either in Churches or elsewhere, and did so for a certain time; That they look'd about them, and considered a little better; And then in several places, they adventured to have Divine Worship somewhat publickly in their own Houses; that is, they prayed and sung Psalms according to the *Scottish* Fashion: And also gave their Families a Sermon, but so as they did not shut their Gates, but left them open, that whomsoever pleased might meet with them.

This gave mighty provocation to the Presbyterian Preachers: For wherever this was done, it emptyed their Conventicles, of a great many of the Common Sort. And besides, the Gentry generally flocked to these private Meetings of the deprived Men: Which was an unsupportable Grievance and Trouble to the Brethren; for so long as that was the Guise, they concluded, it would be impossible, their Interest (what ever pretences of Law they might have on their side) could be secured. But what Remedy was proper for such a dangerous Disease? Should

they

they cite them before their Presbyteries, or Synods; and enter in Ecclesiastical Process against them? But that would be to no purpose; For they would be first not to appear; and if the pursuit should proceed to the extremity, if they should Excommunicate them, nothing would be gain'd; for the Sting was taken from that Sentence, by Act of Parliament: No man being, now, by Law in *Scotland*, to suffer in his Temporal interest, by vertue of his being Excommunicated: And it was manifest enough, these Episcopalians would not value a Presbyterian Excommunication upon Spiritual accounts. What then should be done? Why? There was no choice: There was no other way imaginable but to importune the Privy Council, that their Lordships would take some Course with such a Criminal Enormity. But then, even this required Prudence, and due Season; for if such a matter should be proposed when the Duke of *Hamilton* was present, he might breed Difficulties, and make Opposition: So it was fit to take the opportunity of his absence (when he was at Court) in *May* and *June* 1692. And then it was, that the rebellious and intollerable Practices of the deprived Men, came to be considered in Council.

There was a long List of such given in to their Lordships, but I know not how it happened, it seems it was thought fit to cite only Two at first, viz. Dr. *Richard Waddel* Archdeacon of St. *Andrews*, and Mr. *John Nicolson* Parson of *Ewel*. The first had been deprived for not reading the Proclamation enacted by the States against the owning King *James*, and not Praying for *William* and *Mary* as *King* and *Queen* of *Scotland*, before *Whitsunday* 1689, and by consequence before the Account came to *Scotland* that *William* and *Mary* had sworn the Coronation-Oath, without which, according to our Claim of Right, they could not be *King* and *Queen*. The other, for the same Crime, had been afterwards deprived by the Council. Dr.

Wadsbo's late Crime was, that in his own Dwelling House at St. Andrews, he had Preached some Sundays, without qualifying himself according to Law; that is, without swearing the Oath of Allegiance, and giving Security under his Hand, that he should Pray for *William* and *Mary* as King and Queen and taking the *Assurance*: But Dr. *Nicolson*'s Transgression had many different Circumstances: Which, that you may apprehend the better, I will give you this view of his Case.

Bavelin is a considerable Parish: It lies in one of the most Fertile places in *Scotland*, commonly called the *Carse of Gowrie*: and so there are a great many Gentlemen who have Estates in it: But all generally *Malignants*, or *Antipresbyterians*, except two or three: So that it was very difficult to get it planted with a fashionable Preacher. But Zeal for the Good Cause must surmount all Difficulties: And therefore these two or three *Presbyterian Lairds*, with a small number of inferiour People, whom they had enjoled into their own Temper, resolve they will have a Presbyterian Preacher, once possess'd of the Pulpit of *Dyrie*, and accordingly upon a *Sunday* morning, (I think it was on the Tenth of *May* 1691) they bring along one *Tullidaff*, a young forward Man to preach to them in the Church; but it seems besides those in the Village of *Bryel*, all the Commons in the Parish generally had got notice of the design, and therefore they combined in a considerable number, and met *Tullidaff* and his Guards, as he was entring; and asked what the matter meant, &c. One of those Presbyterian Lairds, who were in his Company, began to harangue to them, how Presbytery was now Established by the Law of the Land, that here was a Presbyterian come to preach in the Church, that it would be dangerous to make any opposition, and a great deal more of such stuff: But the resolute Clowns were not to be wrought upon by such whining Rhetorick, and therefore they

they told that Gentleman briskly, that that Preacher would do best to be gone without further noise, for that day he should not enter the Church of *Errol*: The *Laird* began to expostulate further with them but in vain, for one of them told him, they were not to reason Matters: But they would have nothing to do with that Preacher; he should not come there. Upon this one of that Gentlemans Servants (more couragious, it seems, though not more zealous than his Master) offers a stroke at that Fellow, and then it came to earnest, in short *Tullidaff* the Preacher found it convenient to try if his Horse could ride, and his Guards got sufficient *Pay* for that days *Muster*.

All this time Dr. *Nicolson* was in the Parsonage-house (for by the forbearance of a Worthy young Nobleman the Earl of *Northesk* his Patron he had still continued to to inhabit it, notwithstanding his deprivation) no ways concerned in the Tumult, but as he used to do, going about Divine Worship in his own Family. Methinks it needs be no hard task to persuade you that this opposition would be warmly resented by those of the Party, and indeed so it was; for within a few days after the Matter was brought before the Privy Council, and Summons were issued out charging those who had made that Tumult to appear before their Lordships, and among the rest Doctor *Nicolson*, as one who had instigated and encouraged the Rabble.

The Privy Council banished Doctor *Waddel* out of the Town of St. *Andrews*, and Doctor *Nicolson* out of the Parish of *Errol*. But it is not much my present business to insist on this; that which I have had in mine eye all a long, is the Libel that was given in against Doctor *Nicolson*,

Nicolson; or, which is all one upon the Matter the Charge that was given him to appear before the Council: It was a very large one, no less than three full Sheets of Paper; so that it would be both a tedious and a needless work to Transcribe it all: And therefore I will only give you the Narrative of it, which was this word for word.

WILLIAM and MARY, by the Grace of God &c.

FOrasmuch as it is humbly meant and shown by our Lovit Sir William Lockhart *our Sollicitour, and* John Blair *Agent for the Kirk; that where, albeit by the Common Law, the Laws and Acts of Parliament, and daily pratique of this and all well governed Nations, the Sacred Function of the Ministry is to be holden in great Respect or Esteem, and Ministers should be secured in their Persons, and Goods against all Assaults, Outrages and Violences; and the perturbers of Divine Service, and those that shall hinder the performance thereof are severely punishable, and particularly it is provided by Act 4. Parl. 3. Jac. II. That the Hally Kirk be kept in freedom, and that na Person wex Kirkmen in their Persons and Goods, &c. And by many subsequent Laws the liberty and freedom of the Hally Kirk is to be observed, and the Persons of Ministers and Church-men in the Sacred Function are to be had in special reverence, and no way to be assaulted, thrived or affronted, especially when they are about going to Divine Service, and in the exercise of their Offices. And by the 27. Act Parl. 11. Jac. VI. It is statuted that whatever Person or Persons shall happen to pertrub the Order of the Kirk, or make any Tumult or raise*

raise any Fray, where through the People convened shall happen to be disturbed, disordered and dispersed, the same shall be a Point of a Ditty against the Persons that shall be convict thereof, and they shall tyn all their moveable Goods to be Escheat to the King, for their Offence; but prejudice of a greater punishment, if there happens any Offence, as Slaughter, Blood, Mutilation, and whosoever invades any Minister or puts violent hands upon them, shall be punished with all Rigour, and incur the pain of their moveable Goods, for the said Invasion or Violence, albeit no Slaughter nor Mutilation follow thereupon; all which is ratified by the 7th. *Act* Ch. I. *by which it is declared that because the insolence and violence may be committed by Lawless and Irresponsable Men; who cannot be gotten detected; It is statuted that the Landlords, Heretors, Chief of* Clans, *and others within whose bounds they dwell, shall be holden, upon Complaint to the Lords of Secret Council to exhibit and produce the Malefactors, to be censured and punished at the discretion of the Judge; and the Heretors and others in whose Land they reside are obliged to exhibit them, under the like punishment after intimation made to them that they stay upon the place. And by the* 4. Act, Session 2. Parl. 2. Ch. II. *It is statuted and declared, that whatsoever Person or Persons shall be found Guilty of Assaulting of the Lives of Ministers or actually attempting the same shall be severely punished,* &c.

Thus, I say, did the Narative of the Doctors Libel proceed, and then upon this Foundation was the rest of it built, *viz.* That notwithstanding he was deprived, and the Church of *Ernel* declared vacant, yet when by the Presbyteries appointment Mr. *John Tullidaff* came to preach there, such a Tumult was raised: And the Doctor was accessary as an Instigator, &c. Now,

I could easily tell you a great many things that might be worth your Notice: And that a great many more Acts of Parliament might have been cited: For we have had enough to that purpose, occasioned by the Insults, Invasions and Murthers committed by the Presbyterian Party in King *Charles* II. His time: But that for which I have Transcribed this Narative is chiefly this, that as on the one hand you may see the Piety of our former Parliaments, in the Protection of Clergy-men, so on the other, you may take occasion to consider what a Spirit prevailed in the last Session of our Parliament, which justified and approved the Deed of the Rabble against so many Ministers: And whether we have not now a very Impartial Government, when the same Laws, which must be buried in deep Silence, when the Case concerns the Episcopal Clergy, are thus awakened, and made cry so lowdly, when the Presbyterian Interest stands in need of them, not as if I were to justifie Tumults of that Nature, No: I abhor them with all my Soul: But why should not all alike guilty be equally punished?

Thus, Sir I have accordingly to your desire, given you a short Deduction of the Usage the Episcopal Clergy in *Scotland* have met with, from the Civil Power since the 24*th*. of *December* 1689. I have endeavoured all along to represent Matters faithfully and truly, as well as succinctly.

Two other Things there are which are important, and would not a little gratifie your Curiosity. *viz.* The Proceedings of the Presbyteries and Synods since the Power was put in their Hands by the Parliament, against those Prelatists who complied, and the Purging the Universities. As to the first, I thought it convenient at this time not to meddle with it, both because it would swell this Letter infinitely beyond its due limits, and I have

have reason to believe you may confidently expect to se that fully done by another Hand.

And for the Universities, those Seminaries of Learning, as they stood under the Episcopal Constitution, were a great Eye-sore to the Party; and therefore none could expect that the *Presbyterians* could be satisfied, unless the publick Schools were put into their Hands. Besides the Education of Youth added much to their strength and National Settlement; so they are resolv'd at any rate, *quo jure, quve injuriâ*, to seise very speedily the most conspicuous, and most eminent Places. The Ministers were so warm in this Design, that they importun'd their Patrons in the State to remove such Masters as they judg'd most opposite to their Government, even before the Affair was considered by the Parliament. But the wiser sort among them withstood this precipitancy; for since they might frame an Act of Parliament such as they pleas'd, it was thought most convenient to delay their Revenge for a little while; because the Masters of the Universities might be more effectually turn'd out under the Covert of an Act of Parliament, than by the Methods that they first advis'd. These Consultations tos'd to and again at last produc'd that Act of Parliament, that appoints all Masters and Professors in Universities and publick Schools: 1. To sign the *Westminster* Confession of Faith, as the only Standard of Theological Orthodoxy. 2. To swear Allegiance to K. *William* and Q. *Mary*. 3. To sign the Declaration and Assurance, which I have had occasion to mention above. 4. To submit to the *Presbyterian* Government in its last and latest Figure, as it was lodged in the hands of about fifty or sixty old Presbyterian Ministers. It was easie to foresee that there were but few Masters whose deprivation this Act would not occasion.

The trust of visiting Universities, Colleges and Schools was devolv'd on some Noblemen and Gentlemen (whose

 names

names are inserted in the Act of Parliament) that were most addicted to the Interests of *Presbytery*. A full *Quorum* of them met on the twenty third day of *July* 1690. and subdivided themselves into four lesser Committees: One for St. *Andrews*, one for *Edinburgh*, one for *Glasgow*, and one for *Aberdeen*. The Committee appointed to visit the University of St. *Andrews* was managed by the Earl of *Crawford*, and they could not commit it to one more bigotted to the Interests of their Party. So that their Design was accomplish'd in that place, in a very few meetings, when the Earl made report to the General Visitation at *Edinburgh*, they were deprived the 25th day of *September*, *ad unum omnes*; Nor did they expect to be otherways treated; But this merciless Sentence rais'd the Odium of many against the Party: for both the heads of Houses and the subordinate Professors in that University are learned and deserving Men, Dr. *Alexander Skeen* Rector, and Provost of the old College by his singular dexterity, industry and constant application, chang'd the rubbish and ruins of that House into beautiful and convenient Habitations both for Masters and Students. And Dr. *James Weems* Principal of S. *Leonard's* College minded nothing in the World more than the welfare of that House. And there is little doubt to be made but that the Learned and Reverend Dr. *Lorimer*, Principal of the new College, if he had lived had been treated as his Brethren were, since his Principles were as different from *Presbytery*, as theirs are from the Catholick Church. The next place to be visited was the College of *Edinburgh*, and because that House was in the Eye of the Nation, they peremptorily determin'd to have the Government of it in their own hands. And it must be confess'd, that the first Professors in that House, did frequently and freely despise the Faction: and therefore could not but expect to be censur'd accordingly. The *Presbyterians* were very much afraid that Dr. *Monro* and Dr. *Strachan* would comply

comply with the late Test, as it stood in their Act of Parliament. This put their Invention upon the Rack, and therefore a strict Enquiry is made into their Lives, Actions, private Behaviour, Words and Conversation; that if they had comply'd with the Act of Parliament, they might be turn'd out on other Heads; but this Inquisition and toil was very needless. For after four years sufferings, they'd venture upon the greatest Calamities, rather than comply with a Test of such Consequences as that is. However it was, this is certain, that the Professors of the College of *Edinburgh* were prosecuted with the greatest Solemnity, bitterness and indignation that was possible. The first Masters knew very well, that they could not hold their Places under the present Scheme of things, yet they made particular Answers to all the Articles Libell'd against them: for otherwise the *Presbyterians* would have propagated amongst the People, that they were not turn'd out, because of their refusing the publick Test, but rather for immoralities and Scandalous Faults.

There is already published a particular account of the Methods that they took in turning out the Masters of the College of *Edinburgh*, yet I must beg the Author of that Narrative pardon, if I add some things to what he has written. And I do it the rather, because they are material, and because I have undeniable Authority for them. In the General it is very observable, that the Libels against the Masters of the College of *Edinburgh* were own'd and subscrib'd by no particular Accuser, and yet the Committee proceeded upon such Libels, as if they had been brought before them in the most orderly and legal manner. By a publick Proclamation they had invited, in a manner, all the Nation, and every particular Man in it, to bring Libels against the Masters, but all this to no purpose: and

Vid. *Presbyt. Inquisition as it was lately practis'd against the Professors of the College of* Edinburgh.

therefore Sir *John Hall* then Provost of *Edinburgh* (who was contented with the humble glory of being a drudge in this Affair) cajoll'd Mr. *Andrew Massie*, one of the Regents of the College, to draw up Libels against all his Brethren. Mr. *Massie* had in all the Periods of his Life some affected singularities, that made him apt to quarrel with his Collegues; and always had so much Religion as to worship the rising Sun; and therefore he (foreseeing that Dr. *Monro* must needs be turn' out) undertook this generous and honourable Employment of being the Accuser of his Brethren. These Libels form'd and contriv'd by Mr. *Massie*, were afterwards in several private Conferences conferred with Sir *John Hall*, and Mr. *Henry Ferguson*, and then at length read in the Town Council, the Clerks being remov'd, to the end that Sir *John* might be furnished with all necessary preparations when the Committee for visiting the College of *Edinburgh* sat. By such kind Offices Mr. *Massie* recommended himself at once to Sir *John Hall* and Mr. *Gilbert Rule*, who, a twelve-month before the Visitation, was design'd to succeed Dr. *Monro* as principal of the College. Let none of the Inhabitants at *Edinburgh* think that this is a piece of Forgery vented by ill-nature and Envy; for I appeal to all who were Members of the Town-Council of *Edinburgh* at that time, and I have my Intelligence from one of their number, who still makes a considerable Figure in the City. And if any sober Man be unsatisfied concerning the several steps of this Knavery and Disingenuity, he may ask his Neighbours who were then Members of the Town-Council.

But the most extravagant piece of partiality was, that Mr. *Gilbert Rule* himself, who had all possible assurances and promises of succeeding Dr. *Monro*, was one of the Judges in that Committee; and 'twas told by a Gentleman, who observed very punctually what passed in

the

the General Visitation, that when Dr. *Monro* was remov'd five or six times, the other Presbyterian Ministers Members of the Visitation all of them by turns rose up and spoke against him, some once, some twice, but Mr. *Rule* spoke thrice. Upon which some said, that that was *to kill and* take *possession*. The Masters were never acquainted with the Libels until they appear'd before the Committee, and even then they were not read all at once, but one Article after another, for since most of the Articles Libell'd against them related to matter of Fact; to oblige the Masters to answer *ex tempore*, was the most proper way to entangle them; and so the Members of the Committee took all possible advantages to make them say things inconsistent, or to make their defences in great hast and confusion.

In the next place I must acquaint the Reader, with what I have from good Hands, *viz.* that the only reason why Dr. *Monro* and Dr. *Strachan* return'd particular Answers to the unsubscribed Libels against themselves, was, that the *Presbyterians* might not propagate among the People, and leave it upon Record, that they were turn'd out for Immoralities of Life, not that they thought it possible in that juncture, to stand their ground against *Presbyterian* Malice.

At this Visitation there were five of the Masters turned out. The two Professors of Divinity, Mr. *John Drummond* Professor of Philology, Mr. *Alexander Douglas* Professor of the Oriental Languages, and Mr. *Thomas Burnet* Professor of Philosophy, Dr. *Gregory* Professor of the Mathematicks was conniv'd at for a while, though he had refus'd the Test as it stood in the Act of Parliament.

The College of *Glasgow* was visited by a Committee whereof my Lord *Carmichael* was President: And he (you may be sure) would take a Method different from

from Sir *John Hall*; for though my Lord favours the Presbyterian Party, yet he is a Man of great Modesty and Calmness of Temper, and he managed that Trust with great Moderation and Equality: Dr. *Fall* Principal of the College of *Glasgow* refused the *Complex Test* as it stood in the late Act of Parliament, and so must needs be turned out, and upon the same account, his Collegue Dr. *Weems* Professor of Divinity, and two of the subordinate Masters, Mr. *Blair*, and Mr. *Gordon*. By Doctors *Fall*'s prudent and frugal management of the publick Revenues he advanced the College of *Glasgow* to a very flourishing Condition.

As for the University of *Aberdeen*, the Presbyterians were not so zealous to turn them out, because they were remote from the Center of the Nation; and partly because they had but few of their own number, who were willing at that time to undergoe the Toil and Pedantry of speaking Latin. It was more convenient for their Interest, and more agreeable to their Nature to Preach little Stories to the People, and since most of the Churches of the *Southern* Shires of *Scotland* were vacant, they might plant themselves in the most plentiful Livings, and so leave the *Aberdonians* for a while in Possession of the *Northern* University; whether for the Reasons lately mentioned, or because, perhaps the present Professors of *Aberdeen* are of a more yielding Temper than their inflexible Predecessors Dr. *Baron*, and Dr. *Forbes*, *&c.* they continue still in their Places. They are all of them very deserving Men, and it is good for that part of the Nation, that they have been more gently treated, than their Neighbours.

I have given you this short touch of the Visiting our Universities and Colleges, but no doubt you have the Acquaintance of some in all of them, to whom you may write as freely as to me, and from whom you may expect greater satisfaction than I am able to give you. And now

now I hope you will allow me to draw to a Conclusion for this time: And Pardon all the failings in Language and Method.

I am &c.

A Proclamation against the owning of the late King *James*, and appointing publick Prayers for *William* and *Mary*, King and Queen of *Scotland*.

April 13. 1689.

THE Estates of the Kingdom of Scotland having Proclamed and Declared William and Mary, King and Queen of England, France and Ireland, to be King and Queen of Scotland, They have thought fit by publick Proclamation, to Certifie the Leidges, that none presume to own or acknowledge the late King James the Seventh for their King, nor obey, nor accept, or assist any Commissions or Orders that may be emitted by him, or any way to Correspond with him; and that none presume upon their highest Peril, by Word, Writing, in Sermons or any other manner of way to impugn or disown the Royal Authority of William and Mary King and Queen of Scotland, But that all the Leidges tender their dutiful Obedience to Their Majesties; And that none presume to misconstrue the proceeding of the Estates, or to create Jealousies, or Misapprehensions of the Actings of the Government;

ment; but that all the Ministers of the Gospel within the Kingdom publickly Pray for King William and Queen Mary as King and Queen of this Realm: And the Estates do require the Ministers within the City of Edenburgh, under the pain of being deprived and losing their Benefices, to read this Proclamation publickly from their Pulpits, upon Sunday next, being the 14th. Instant; at the end of their Forenoons Sermons; and all the Ministers on this side of the River of Tay to read the same upon Sunday thereafter, the 21st. Instant; and those beneath Tay, upon the 28th. Instant; under the pain foresaid. Discharging hereby the Proclamation of the Council, dated the 16th. of September 1686. to be Read hereafter in Churches. And the Estates do Prohibit and Discharge any Injury to be offered by any Person whatsoever to any Ministers of the Gospel, either in Churches or Meeting-houses, who are presently in the Possession and Exercise of their Ministry therein, they behaving themselves as becomes under the present Government; and Ordains this Proclamation to be Publisht at the Mercat-Cross of Edenburgh, with all ordinary Solemnity that none may pretend Ignorance, And that the same may be Printed.

The

The SPEECH of WILLIAM Earl of CRAWFURD, President to the Parliament of *Scotland*, the 22d. of *April* 1690.

My Lords and Gentlemen,

I *May say with* Nehemiah, *to the Nobles, Rulers, and rest of this Honourable Assembly*; The Work before us is great, Let us not be separated upon the Wall one far from another, and our God will do for us. *Our Religion, Church-Government, Publick Safety, Laws, and Liberties, are all at stake; and the Enemy is watching for our halting in our endeavours, for every one of them: Yet if God countenance us, so that Duty be made plain, and we be helped to follow it, we are under the Protection of a Prince, who is a great Judge where our true Interest lies, and I am convinced, will frankly deal to us, whatever upon a just Claim, we shall apply for.*

His Majesties Printed Instructions for last Session, are plain evidences of His tender Regard of His People, and contain greater Condescensions, than we have seen, or read of in the Reigns of any of our Kings, for many Ages: But I trust this new Dyet will compleat that Tranquillity, which we so impatiently wish and wait for: And that we shall be engaged to say of his Majesty, as the Queen of Sheba *did of* Solomon; Blessed be the Lord thy God, which delighted in thee, to set thee on the Throne, because the

Lord loved us, therefore made he thee King to do Judgment and Justice.

It were a suitable Return to his Majesty, for the great things He hath done for us, to repose an intire Trust in Him, and evidence a true Zeal for His Service; which in this Critical time, as it would be most satisfying, and engaging to so generous a Prince; So it would be of notable advantage to His, and our Affairs.

Were it not a seasonable part to guard against Prejudices towards one another, and when all is at Stake, to part with trivial Differences, (our Enemies only reaping advantage by them) and to employ our selves to the utmost, for the Settlement of our Church, the Defence of the Kingdom, and the Enacting of other good Laws, now under our Consideration: That we may comfortably and fully partake of the wonderful Deliverance God hath wrought for us.

If in our last Session we had begun at the House of God, other things might have framed better in our hands; hath not the Church suffered sadly by our Differences? And have not our delays made the Work more difficult? The Opposition at home, and Clamour abroad, had certainly been less, and many honest suffering Ministers ere now had been relieved of their Pinches, if a greater Dispatch had been made. But what if any remaining Obstacle should prove a real Disappointment in the Establishing of our Church, would not the blame be lodged at our own Door? Some are at the same Language that was spoken in Haggai's *days;* The time is not come that the Lord's House should be built: *To such I shall give the Prophets Answer,* Is it time for you to dwell in your Cieled Houses, and this House lie waste?

We

We have occasion with Ezra, *to bless the Lord God of our Fathers, that the stop is not at the King's Door, but that he hath put such a thing as this in his Heart, to Beautifie his House with that Model, which shall be suited to the Inclinations of the People, which I trust will be squared to the Pattern that was shewed in the Mount, and not meerly regulated by humane Policy.*

We are threatned by a Foreign Enemy, our Country is infested at home, and the Kingdom sadly exposed to many great Inconveniencies; What should become of us, if His Majesty withdrew His special Protection, and we were left to the rage of our Enemies? Though our Church were Settled to the greatest advantage, and our other Grievances likewise Redressed, the Nation cannot be safe, without a Supply, suitable to the present Exigency.

It is matter of heavy Regrate, that so many are groaning under the Load of Forfeitures and Fines, and His Majesty willing to relieve them, and as yet no Issue put to those desirable Purposes.

May the Wisdom and Goodness of God, so over-rule all our Counsels, that we be not imposed upon by false Notions of things: Let neither Partiality on the one side, nor Passion on the other, either keep up former Differences, or give a rise to new ones, lest it be said of us, as was spoken by Ezra *upon the like occasion,* And after all that is come upon us for our evil Deeds, and for our great Trespass, seeing that thou our God hast punished us less than our iniquities deserve, and hast given us such Deliverance as this, should we again break thy Commandments?

What

It is beyond Belief, what an [illegible] the Hearts of a great many [illegible]

[illegible] Lord's doings, and is wonderfull in our eyes.

[illegible] 40.
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